

15-1944

Suspect Held, Identified in Brutal Attack

Towson, Md., Aug. 5 (AP).—Frank Thomas, a 35-year-old Negro, was being held in the Baltimore County Jail without bail today on a charge of assaulting the 20-year-old wife of a Marine with intent to kill.

Thomas was arrested in Baltimore yesterday after a search since July 26 for a man who allegedly ran down Mrs. Eva Doffmeyer with a truck and then beat her over the head with a rock.

The man, who was not represented by counsel, had nothing to say in his own defense when arraigned last night before Magistrate Jesse Hitchcock in Pikesville Police Court.

Identified by Two

Thomas was identified as the assailant by Mrs. Roffmeyer and by J. J. Eberts, Baltimorean who took her from the scene of the incident to a hospital.

Mrs. Doffmeyer testified that while on her way to work on the morning of July 26 she was run down by a truck, the driver of which dragged her into the nearby woods and struck her several times with a club.

She said she broke away, and that the man then attempted to beat her with a large rock.

Eberts told the magistrate he was driving past the scene when he heard screams and went to Mrs. Doffmeyer's assistance.

"As I went toward the screams," he said, "I saw a woman crawling from the underbrush on her hands and knees with one arm upraised."

He took Truck Number 8-6-44.

"I didn't see a man right away, but I had assisted the girl to my car and was scraping the dirt from the license plates of the truck so that I could enter the number in my note book. I saw a Negro about 50 feet away."

"I had a good chance to observe the contours of his face, his height and his general appearance."

Baltimore County police said Thomas denied having attacked Mrs. Doffmeyer.

Two Young Negroes Jailed For Shoplifting

A pair of teen-age Negro boys

who City Detectives Henry Weir and Grover Gilliland said went "shoplifting" for higher price sport shirts in the better class downtown department stores were in Juvenile Court Wednesday on grand larceny charges.

The detectives said the two 13-year-old boys first stole a medium price shirt in a 5, 10 and \$1 store and then went to a more exclusive men's wear department in a larger department store and took two men's sport shirts valued at \$6 each.

Police Fight Off Harlem Crowd

Thirty patrolmen and detectives were called into the Harlem district at Lenox Ave. and 134th St. early last night to restore order among almost 300 Negroes who rallied to the defense of a 32-year-old Negro, charged with non-support by his wife, and fired on by a pursuing policeman.

The fleeing Negro, identified by police as Richard Andrews, was served with a non-support warrant by his wife, Rosalie, of 2323 Seventh Ave., who had appealed to police to help her.

As he was being taken to the police station at 135th St., between Seventh and Eighth Aves., Andrews broke away and ran in the direction of Lenox Ave., police said. Patrolman George Egner fired two shots over the man's head. A crowd gathered quickly. Patrolman Egner and Patrolman John Connor, who came to his assistance, were knocked off their feet but were unhurt. Andrews was recaptured and treated at Harlem Hospital for bruises. He was booked on a charge of felonious assault.

Convict Returned To Georgia; Made Escape on Mule

A Negro convict who escaped from a Georgia chain gang on a mule owned by the State, thereby putting blood hounds off his trail, was turned over to Georgia authorities by Alexandria police yesterday after two months of freedom.

The Negro, John Willie Gilmore, 40, of Atlanta, was arrested in Alexandria August 5. Police, finding that he had no draft registration card, sent his fingerprints to the FBI, which revealed he was wanted in Georgia. Gilmore had served three years of a five-year sentence for larceny.

Bus Driver Shoots At Spurners Of Jim Crow

AUGUSTA, Ga. (ANP)—When two soldiers, one white and the other colored, objected to the Jimcrow laws here on buses last week they had to run for their lives when John T. Rachols, the bus driver, drew his gun and fired three shots at them. They escaped but Rachols was charged with shooting firearms within the city limits and possessing a deadly weapon.

The two, according to a Police report, were sitting together on the bus in violation of Jimcrow laws when the driver demanded that the Negro soldier sit in the Jimcrow section, reserved for Negroes. The colored soldier is said to have refused to move, and the white soldier also objected to the Negro soldier moving. An argument between the bus driver and the two soldiers followed. He drew his gun and soldiers fled the bus. Military police are reported to have arrested three other soldiers who were riding on the bus at the time of the shooting.

Held to Grand Jury In Shooting of Guard

Accused of assaulting two guards at the Standard Sanitary plant July 8, Ernest Moon, 21, of 1502 S. Hancock, and Herschal Sutton, 39, of 421-H Lampton, both Negroes, yesterday were held to the grand jury September 20, by Judge John Brachey. Carl Yates, 51, of 2442 Concord Drive, named Moon as the man who grabbed his gun and then shot him in the throat. John Owen, 56, of 4319 Whitmore, said Sutton knocked him down and took his pistol. Both guards said the trouble started after Sutton and Moon came to the plant seeking Sutton's vacation check.

Both Negroes denied being abusive and said they were on the way out of the plant when they were knocked down by the guards.

Grand Jury Gets Arson Case.

Dura Sherman, 33, Negro, 1125 S. Eighth, yesterday was held to the grand jury on an arson charge by Police Judge John Brachey after he was identified by a 10-year-old girl as the man who set

fire to a shed in the rear of 700 block Zane Street last week. Sherman denied the charge and produced seven witnesses who said he was in a cafe at the time of the blaze.

Police Still Seeking Hit-and-Run Suspect

Alpha Walker, Negro, allegedly involved in an automobile accident in Hapeville Sunday, is still at large, and is wanted by the Hapeville police in a hit-and-run driving case.

Walker, employee of an insurance company in Griffin, is said to have disappeared from the scene of the crash which seriously injured two women, Mrs. Melton S. Beck, of College Park, and her mother, Mrs. Texana Cater.

Youthful Sisters Take \$9,000 From Doctor Employer

DETROIT—(ANP)—Two teen-age sisters are being held under \$10,000 bond for the embezzlement of \$9,000 from Dr. H. M. Nuttall, prominent local practitioner. The girls, both employed by Dr. Nuttall, are Miss Ruth Ellen Johnson, 18, and Olivia Johnson, 18.

Both girls were arrested last week following the discovery of about the figure 1 was placed in shortage in Dr. Nuttall's bank account at the Gratiot branch of the Detroit bank. When arrested, the girls had only \$840 of the \$2,000 they had allegedly taken the day before.

Maintaining a state of silence, neither divulged what was done with the missing \$8,160. Ruth, however, showed remorse and expressed a desire to pay back the money while Olivia seemed resigned to take the consequences. Neither will implicate anyone else at the suggestion that a third party was included nor will they account for the money.

The embezzlement is said to have been accomplished by writing in an additional one or two figures after the bank teller had recorded the sum actually deposited. On May 2, Dr. Nuttall gave his bank book and \$1,051.60 for

they quarreled aboard a 15th St. bus about keeping the bus door closed.

Gordon, who lives at 358 Lewis Ave., Brooklyn, will be given a hearing Friday.

Whites beat conductor

assault on Negroes as street car operator occurred last week with the beating of a Negro street car conductor by white hoodlums.

book \$1000 bail by Magistrate John F. Masterson in Brooklyn Felony Court today on a charge of felonious assault made by a retired city police captain. The former officer, Walter Rouse of 18 Prospect Park S. W., charged that Gordon beat him about the head and face with a blunt instrument last night when James Gordon, 36, Brooklyn, was held in blunt instrument last night when

White Farmer Amsterdam News Jailed After New York N.Y. Shooting 14

Georgia Man Found
In Drunken Stupor
After Church Fray

OGLETHORPE, Ga., (AP)—A white farmer, 32-year-old R. C. Barefield, was being held in jail here Monday on a charge of assault with intent to murder in the wounding of 14 members of the Oglethorpe Methodist Church in a wild shooting affray Sunday.

Major C. H. Millins of the Georgia Highway Patrol said Barefield carried a group to the church and got into an argument after their arrival on the grounds. Following the argument, which took place around 3 o'clock, Barefield went home.

Several hours later, Barefield came back to the church, and began firing into the crowd on the grounds and into the structure itself. Fourteen of the worshippers were wounded, three of them seriously, Major Millins said.

When Troopers J. E. Shaw and H. D. Chappel, accompanied by Oglethorpe Sheriff W. T. Jolley found the farmer, he was at a nearby white church in a drunken condition. Major Millins revealed.

"An Eye for an Eye"

The Peoples Voice Electric Chair New York N.Y. Claims Woman

OSSINING—Thursday night at 11:17 pm, the executioner of Sing Sing's death house threw the switch and the life of Mrs. Helen Fowler was taken by the state of New York for her part in the holdup murder of George Fowler, white, near Ransomville, Oct. 30, 1943.

Electrocuted with Mrs. Fowler was her accomplice, George F. Knight, 27, who preceded her to the chair. He was pronounced dead at 11:08. (Where more than one person is to be electrocuted the same night, prison officials send the weaker ones to the chair first.)

Mrs. Fowler was the first woman to go to the chair in eight years. Last woman electrocuted was Mrs. Frances Creighton, who sat in the chair July 16, 1936, for her part

in the murder of the wife of Everett Applegate, in Nassau County. Applegate was also electrocuted the same night.

A GREAT COLORED The Union—Cincinnati, Ohio F. B. I. MAN!

OWI—At the request of J. Edgar Hoover, Director of the Federal Bureau of Investigation, President Roosevelt has issued a special order exempting from retirement 65-year-old James E. Amos, veteran Special Agent in the Department of Justice.

The Presidential action, suspending Amos' retirement for the duration of the war emergency, was a source of gratification in the Department of Justice where the noted Negro agent has served since 1921.

There was probably little rejoicing, however, in the underworlds of New York City, Chicago, San Francisco, Cincinnati and Miami—or in the various Federal prisons where a number of Nazi spies, murders, hijackers and person.

confidence men have been sent with the assistance of Jim Amos. For FBI files indicate that the veteran agent has participated in a wide range of cases.

Some of AMOS' victims have no opinions on the exemption, Justices and police officers were convinced on the exemption, Walter Legurenza and Robert Mais, white slavers and dope peddlers. But might be included in this group. Al-

ready under sentence of death in Virginia in 1934 for the murder of a truck driver, Legurenza and Mais shot their way out of the Richmond Penitentiary—killing a police officer—and embarked on a further career of murder and kidnapping.

Shortly after their escape, they kidnapped William Weiss, a Philadelphia racketeer, and collected \$8,000 of the \$100,000 ransom originally demanded. The killers then slew Weiss in gangland fashion and threw his body into a creek near Doylestown, Pa. Then, fleeing a trap in Wayne Junction, Pa., Legurenza fractured his legs, but both he and Mais escaped.

The FBI took up the trail and followed it to New York City where the murderers had reported been brought

in a hearse. Trailing a girl friend of Mais, the FBI agents located one of the killers in a New York hospital and cornered the other next day. Amos, who had participated in the chase, was one of the agents who took Mais and Legurenza back to Richmond where both were executed.

Another underworld character who will not know that Amos is still with the FBI was a six-foot giant of a woman remembered by the agent only as "Stack of Dollars." Almost

as fabulous in appearance as in reputation, the 200 pound "Stack of Dollars" boasted a two-carat diamond studded in her front teeth. She derived her name from the huge roll of greenbacks she always carried on her person.

"It was during the investigation of a white slave and narcotics ring in Cincinnati that Amos unearthed "Stack of Dollars" and persuaded her to testify for the Government. Partly

as a result of her testimony, 87 detectives and police officers were convicted on charges of protecting the white slavers and dope peddlers. But "Stack of Dollars" didn't enjoy her notoriety long. She was "wiped out" in a gang war in Detroit a few years later.

Frederick Duquesne, central figure in a celebrated Nazi spy ring case, should remember Amos though, Justice Department records indicate. The

Negro agent was assigned to investigate activity in this case by FBI Director Hoover. During the trial of the 33 defendants, Duquesne testified that he had been a close friend of President Theodore Roosevelt, and that he had often visited the Chief Executive. Amos, called to the stand as a rebuttal witness, calmly looked Duquesne over and told the court and jury that he, Amos, knew all of the late President's friends and especially those who had visited him. Duquesne

was not among either group, he said. All of the espionage defendants were convicted and sentenced to long jail terms shortly after Pearl Harbor.

There was weight behind Amos' testimony in the Duquesne case. Amos knew the late President intimately. For more than two decades, he had served him as valet, bodyguard, friend and confidante. T. R. himself often referred to him as "my head man." And when the former chief Executive died at Oyster Bay, L. I., N. Y., Amos was the last person to see him alive.

Amos got his first job at the White House in this way. Young Jim's father was an officer on the Metropolitan Police Force in Washington, D. C. In this capacity he often encountered the then President Roosevelt riding horseback through Washington's Rock Creek Park. One day the President asked:

"Have you got a boy who would like to go to work?"

"I've got one I can't control," Officer Joseph F. Amos replied.

"Fine," said Mr. Roosevelt. "He's the one I want. Send him around."

So young Jim Amos was sent to the White House. First he took care of the younger Roosevelt children, and served as "head man" at the family estate at Oyster Bay. With the passing of the years, he became a close friend of the President and traveled with him in every state in the union.

"A self-respecting, loyal man of high character," the President called him.

In his book, "Theodore Roosevelt, Hero to His Valet," Amos tells how Mrs. Roosevelt summoned him to Oyster Bay during the President's last illness "because Mr. Roosevelt wouldn't have anyone else..."

"I entered his room at eight o'clock and could see plainly enough the look of great weariness in his face. He did not talk much and a little later said:

"James, don't you think I might go to bed now?"

"... I was alone with Theodore Roosevelt as he slept in a sound and peaceful slumber from which he was never to wake."

Now regarded as a firearms expert in the FBI, Jim Amos learned about guns from "Teddy" Roosevelt. From the largest elephant gun which the President used on his African safari to the small firearms of the Roosevelt children, the "head man" handled

them all. Among his most treasured possessions are two revolvers given him by the late President and his wife.

Firearms have not figured prominently in some of the FBI Agent's outstanding cases, however. There was, for instance, the William Green war risk insurance investigation in San Francisco. Green, a veteran of the last war, had sued the Government for \$10,000 for the alleged loss of his sight in the war. The case was tried four times without a verdict and then Amos was assigned to the investigation.

Obtained a room in Green's house, the agent watched the man get his own supper over a red hot wood stove, saw him shake down the fire and pick up a belt he had dropped on the floor. On one occasion Green reached out and nimbly took three cigars from Amos' hand when the latter offered him a smoke. The Government was still stymied in its case, however, when several eye specialists who examined Green pronounced him blind. Amos finally found the missing piece of the puzzle.

"One day," he recalled, "I discovered Green in the act of having 'drops' put in his eyes in his room. The 'drops' were belladonna which paralyzed the muscles of his eyes and made him appear totally blind. Needless to say, Green lost his case.

Neither were firearms involved in Amos' painstaking investigation of the activities of Marcus Garvey, much-publicized "Back to Africa" leader and president of the Black Star Line. This investigation resulted in Garvey's conviction on mail fraud charges and in his deportation after he had served his sentence in a Federal prison.

Born in Washington, D. C., on January 29, 1879, Amos joined the FBI on August 22, 1921. He has served in Boston, Washington, D. C.; Cincinnati, Detroit, Chicago, San Francisco, Miami and in New York City where he has resided for the last thirty years. Four of his brothers now reside in Washington, and a nephew, Benjamin Amos, is a member of the Metropolitan Police force there. The agent's daughter Mrs. Alice Dodd also lives in Washington.

Because of his familiarity with all kinds of weapons, Mr. Amos at present has charge of firearms equipment in the FBI office in New York. He also serves as liaison man between

the country and the Federal Bureau of Investigation. He has not lost any of his long record of service to a President, his

15-1944

Negro Patrolman Assailed While Assigned To OPA

Judge Praises OPA During
Hectic Case In Boro
County Court

6-10-44
Judge Nicholas Pinto praised the OPA last week when he sentenced a butcher accused of brandishing a meat knife at a patrolman on price inspection tour, to a \$50 fine or 20 days in jail.

Tony Prisco, 36, owner of a shop at 831 Gates Ave., paid the fine. He had been charged with second degree assault for waving the knife, at Patrolman Edward Pegram, Negro cop, on special duty with the OPA on Jan. 5 last, when the cop attempted to step behind the counter to examine prices.

6-10-44
Pleaded Guilty
Prisco was allowed to plead guilty, however, to a reduced charge of disorderly conduct.

"Brooklyn is far from being free of food profiteers," Judge Pinto remarked in passing sentence. "The OPA has done and is doing, an excellent job in curbing food profiteers. Were it not for OPA, conditions in this country would be similar to those that might obtain in New York City where there no traffic regulations and no traffic lights."



MRS. ELEANOR SMITH, who is being held as the kidnapper

of little Bobby King. The father and mother of the child positively identified her as their former nursemaid. The child was found in Mrs. Smith's home, unharmed, but covered with a heavy coating of sun-tan oil, and with a fake birthmark imprinted on his face.

Love Made Her Steal A White Kid, She Says

Amsterdam News
Pharmacist's Wife Disguised
Child With Sun-Tan Oil; But
Deep Blue Eyes Betrayed It
New York, N.Y.

(Amsterdam News Press Service)
DETROIT, Mich.—A police tip-off, resulting after a Negro churchgoer had become suspicious of the bright blue eyes and light-colored hair of a 4-month-old baby, led to safe return of the child to his parents last week, and caused the arrest and questioning of the attractive Negro maid who had kidnapped him.

10-21-44
The child, whose disappearance on Sept. 30 had precipitated a nation-wide search, was identified as Bobby King, infant son of Mr. and Mrs. Clarence King, of this city.

According to Prosecutor William C. Dowling, he was abducted by Mrs. Eleanor Smith, 32, wife of a local pharmacist, who had been employed as a maid by the King family.

Mrs. Smith confessed to the abduction, and blamed it on an overpowering "mother urge" which she had developed out of "love of the child," Prosecutor Dowling revealed.

10-21-44
Tried to Make Baby Colored

The child was discovered resting happily in the home of Mrs. Smith on Oct. 11. In an attempt to make the infant look "colored," his skin had been darkened with a heavy application of sun-tan oil. As a further effort to disguise the real identity of the baby, an artificial birthmark had been harmlessly worked on his face with cosmetics.

On being questioned by the police, Mrs. Smith at first insisted the child was her's. After listening to her unemotional story of how she had brought the child from Chicago, where she had given birth to it at a mythical Western Memorial Hospital, police hinted that the attractive kidnaper might be suffering from insanity. Mrs. Smith told the police that she did not want to live without the boy, and hoped that it would be returned to her as soon as the real kidnapers were brought to justice.

She vigorously denied any allegation that she had kidnapped the child and changed his appearance in effort to deceive her husband into believing that the child was theirs.

A statement to that effect was made by Paul C. Wencel, Detroit detective chief, who asserted that Mrs. Smith had previously informed her husband she had become a mother in a Chicago hospital, last June, but had left her baby there because it had been born prematurely.

Her Husband Is Freed

The kidnapper's husband, Eugene Smith, 34, was freed of all implications in the case after Wencel said he was sure that Smith was ignorant of the abduction. Smith had become suspicious of the whole affair and had begun a quiet little investigation of his own even before the police intervened, it is reported.

Events that led up to the arrest of Mrs. Smith were set in motion when police received a tip-off through a local newspaper which offered a reward for the apprehension of the kidnaper. A further lead was furnished by one George D. McKee, who asserted that he had noticed Mrs. Smith and the baby at the St. Stephen's Church during recent Sunday services, and had been impressed by the child's medium-brown hair and azure eyes, and by the fact that it did not appear to be colored. He was further interested he added by the circumstances that there appeared to be a feeling of dissatisfaction between the husband and mother regarding the baby, as if the husband possibly was in doubt that it was his child.

Wencel stated that identification of the child had been established even before the real mother saw him, through footprints made in a Detroit hospital at the time of the baby's birth. In addition, he said that one of Mrs. Smith's fingerprints tallied with a fingerprint discovered in the King home.

After routine police identification of Mrs. Smith and the infant, Mrs. Smith, Mr. Smith, Leon Grant and Mrs. Mary Grant all were arrested and questioned by Lt. Robert Sneed at police headquarters. Both Mr. and Mrs. King positively identified the baby as their own, and asserted that Mrs. Smith was the alleged Helen Rosman who was formerly employed as a maid in their home at the time of the baby's disappearance.

Police described Mrs. Smith's story as both unemotional and fantastical and said that she seemed to be a psychopathic subject.

Beaten and Chased Out of Dixie Town

NEW ORLEANS (AP)—Beaten by four sheriffs and finally made to leave his home in New Iberia, La., because he had led the fight for a school to teach Negroes to weld, J. Lee Hardy, a prominent insurance man and civic leader last week told the delegates convened for the National Progressive Voters League that "what I at one time considered as being as decent a place one could find to live in, suddenly turned out to be one of the worst hell holes in existence."

Hardy said the trouble started when he approached the local superintendent of schools, J. Porter, concerning a change in the schedule of his welding class. "I was told to get out," explained Hardy.

In a later conversation with Sheriff Gilbert Ozane, Hardy said he was advised to leave the city because he was "preaching to Negroes, equality and that they were as good as white folks."

Brutality Case Is Sent Gov. Arnall

11-24-44
Atlanta, Ga. World
CHICAGO—(S N S)—Liberal white persons in northeast Georgia have notified Atty. William Henry Huff of a case of brutality in Oglethorpe County. The instant case is where one Mrs. Maggie Appling, a school teacher, and grand-mother, went into the store of one Walter Allen Matthews to make some purchases and was brutally kicked out of the store by Matthews.

They say Mrs. Appling then went to "n...r" a warrant for a white head, who, evidently, is a Justice of the Peace, and requested a warrant for Matthews and was told by Whitehead that he would give no "n...r" a warrant for a white person; that Matthews had done the right thing to kick a "n...r" woman around.

The liberal whites who reported the case to Atty. Huff requested him to go the limit, and broadly indicated that they would assist financially. This, says Atty. Huff, is the same group of whites who a little more than a year ago sent a man to Chicago to inform him of the gang who was raising a slush fund to have him smeared by Negroes in Chicago. He says they were right in that instance, as the grand smear attempt actually came.

He has already written Governor Ellis Arnall of Georgia to investigate and he hopes soon to make a trip to Washington to urge the Department of Justice to take jurisdiction under an ancient and dust covered federal statute, which he has dug up.

Governor Arnall has acknowledged Attorney Huff's letter requesting investigation of the alleged Oglethorpe brutality, stating that "if the facts authorize it, it will be referred to proper State legal officials."

COLLEGE PREXY SLAPPED, JAILED

10-16-44
TALLAHASSEE, Fla. — (ANP)—

resident R Elwin Lamb of Edgewood college, Jacksonville, was taken from a Southeastern Greyhound bus here last week, slapped by police, jailed and booked in a charge of disorderly conduct. The youthful college prexy had been in town for three days in conference with state board of education officials on the curriculum of the AME college. Upon completion of his conferences he found that it was too late for a train to Jacksonville and decided to travel by bus. President Lamb bought his ticket and was the last person to board the bus. The entire back seat was full. However, there were many vacant seats. The bus driver belatedly suggested that some of the white passengers near the back seat move forward in order that seats may be made available in the rear. The driver was in favor of one of the Negro passengers standing during the 169-mile trip to Jacksonville.

10-14-44
Curbed and Slapped

President Lamb left the bus voluntarily and accepted a refund of fare. After getting his bags which had been checked, he was leaving the bus station when the local policeman accosted him.

The college president was escorted to the waiting police car. When they arrived at the police station, the officers charged him with disorderly conduct and cursing. When President Lamb denied

The charges grow out of a disturbance March 23 in the guard-house where the soldiers were sent. The sentences for various offenses.

honorably discharged and sentenced to from 13 to 16 years in prison. The verdicts were announced by Major Frank Saker, base intelligence officer, after a two-day trial. Three of the soldiers received 13-year sentences for "joining a mutiny," and "failure to suppress a mutiny." They were listed as Joseph R. Kent, of Evanston, Ill., James E. Crawley, of New York City, and Arthur Boyd, of Summit, N.J.

10-14-44
Jailed In Florida
TALLAHASSEE, Fla.—An Army general courtmartial on Thursday convicted five Negro soldiers of voluntarily joining in a mutiny at Dale Mabry Field, and ordered them dis-

10-14-44
Five Negro Soldiers
While in jail, he was able to contact Atty. W. Atkinson who was visiting one of his clients there. The attorney delivered a message to friends of the young man and they were able to obtain his release. He was then taken to the police station where he was held until late in the afternoon. He was later transferred to the Leon County jail until late in the afternoon.

DINING CAR LOSSES CAUSE 115 ARRESTS

FBI Says Union Pacific Crews,
Stewards and Waiters, With-
held \$200,000 a Year

WASHINGTON, Nov. 25 (AP)—The arrests of more than 115 Union Pacific Railroad dining car waiters and stewards on charges of withholding receipts for meals were announced today by the FBI. J. Edgar Hoover, director, stating that the alleged operation had cost the railroad an estimated \$200,000 a year, said "dozens" of arrests had been made at Los Angeles, Las Vegas, Nev., and Omaha, Neb. Others are being arrested as trains arrive at other points, the announcement said.

The FBI said the employees, including complete crews of waiters, stewards and assistant stewards, had been withholding receipts for meals served on the railroad's crack Challenger trains which operate between Omaha and Los Angeles, but that no customers had lost money as a result of the alleged manipulations.

A Federal grand jury in Los Angeles has already returned 126 indictments. The formal charge, Mr. Hoover said, was conspiracy to violate the Theft-From-Interstate-Shipment Statute, which carries a maximum penalty of two years' imprisonment and a fine of \$10,000.

The announcement asserted that the operation was carried out by using meal checks more than once or by failing to give checks and pocketing the money paid by customers. The FBI stated that on some occasions waiters failed to give checks to entire seatings of sixty-eight armed forces customers, the money paid for the meals then being split equally among the waiters and stewards.

Mr. Hoover said the FBI investigation had been conducted with the cooperation of the railroad, in many cases agents getting jobs on the trains as stewards and assistant stewards. The railroad had crews standing by to take over operation of the cars as fast as the agents made arrests.

A special FBI agent in Omaha, Duane L. Traynor, said "the manipulation enabled stewards to average about \$150 a round trip on the Los Angeles Challenger."

Mr. Hoover's statement said the operations were confined to the Challenger trains. On one occasion, he asserted, a steward indicated that sixty-five meals had been served in a given car, but his agents that 118 customers had been in that car during the service period.

The stewards watched for in-

spectors and operated without manipulation when there appeared to be danger of detection, he added. He alleged that those involved, realizing that someone might notice an increase in receipts at times when inspectors were on the trains, attempted to discourage dining car patronage at such times by emphasizing when meals were announced that only fish would be served.

Mafron Held For Trial In Kidnapping Tot

DETROIT, Mich.—Mrs. Eleanor Smith, 33-year-old housewife accused of kidnapping four-month-old Bobby King, white, last Sept. 30, was ordered held for trial last Wednesday following introduction of a "confession" during her examination, in which she is alleged to have admitted the kidnapping of the child.

Mrs. Smith's attorneys, C. Henri Lewis and Joseph Brown, said however, that they will probably ask for the appointment of a sanity commission before the case comes to trial. Such a commission would determine whether she will stand trial.

The defendant's statement, which the prosecutor said had been made in police headquarters before him Oct. 11, a day after she had been arrested, was a detailed narration of how the woman had been driven to the deed following the shock of a still birth this summer in Chicago.

The "confession" brought to an abrupt end the hearing which began Tuesday in Recorder's Court with a packed audience.

BABY TAKEN SEPT. 30

Mrs. Smith is charged with having taken the baby from its home on the night of Sept. 30, while she was caring for it as a domestic.

A distressing tale of mother love was related in the purported confession.

The statement, which the prosecutor told the court had been obtained under the promise that it would be withheld from the newspapers told of the birth in the home of a Chicago cousin of the still-born baby on June 20.

Mrs. Smith related, according to the statement, that she had left Detroit intending to visit her mother in Metropolis, Ill. Enroute home, the statement said, she became ill before the train reached Chicago. She left the train when it reached that city and went to the home of a cousin, Mrs. Ossie Harris.

TREATED UNDER ASSUMED NAME

The dead child was born a few minutes after her arrival, the statement continued, with a midwife who lived in the same building in attendance.

Before her return to Detroit July 5, the statement said, Mrs. Smith had been treated under an assumed name and as a day patient at the Wesley Memorial Hospital.

On her arrival here, the statement declared, she told her husband, a drug store owner, that because the baby was born in its seventh month, the hospital authorities had advised leaving it in their care.

Describing her reactions on the night the King baby was stolen, the statement related how she had prayed when the impulsive desire to steal the baby possessed her.

"I asked God to help me get the baby safely home if I took him with me," she purportedly exclaimed in the confession.

Mrs. Smith denied in the statement that the abduction of the baby had been premeditated.

The court set her bond at \$50,000. Unable to obtain it, she is in the county jail.

Dr. Kelly Miller People's Voice Awaits Sentence

WASHINGTON—Dr. Kelly Miller, jr., 45, was convicted of abortion last week by a jury which deliberated for only 25 minutes. He is awaiting sentence in the District jail. Dr. Miller, son of the late Kelly Miller, Sr., practiced medicine in New York City for a number of years up to last year.

The well-known physician is an honor graduate from Howard University. For a number of years he edited and published a monthly pamphlet, Medical News.

The jury found Dr. Miller guilty of performing an illegal operation on a young woman, who died shortly afterwards. The case was heard before Justice James M. Morris. He faces 20 years' imprisonment.

Confession Claimed In Defender—Chicago, Ill Detroit Kidnap Case

By RUSS COWAN'S
(Defender Staff Correspondent)

DETROIT—Mrs. Eleanor Smith, 33-year-old housewife accused of kidnapping four-month-old Bobby King, white, last Sept. 30, was ordered held for trial last Wednesday following introduction of a "confession" during her examination, in which she is alleged to have admitted the kidnapping of the child.

Mrs. Smith's attorneys, C. Henri Lewis and Joseph Brown, said, however, that they would probably ask for the appointment of a sanity commission before the case comes to trial. Such a commission would determine whether she will stand trial.

The defendant's statement, which the prosecutor said had been made in police headquarters before him Oct. 11, a day after she had been arrested, was a detailed narration of how the woman had been driven to the deed following the shock of a still birth this summer in Chicago.

Tale of Mother Love

The "confession" brought an abrupt end to the hearing which began Tuesday in Recorder's Court.

Mrs. Smith is charged with having taken the baby from its home on the night of September 30, while she was caring for it as a domestic.

A distressing tale of mother love was related in the purported confession.

The statement, which the prosecutor told the court had been obtained under promise that it would be withheld from the newspapers, told of the birth in the home of a Chicago cousin of the still-born baby on June 20.

Still-born Child

Mrs. Smith related, according to the statement, that she had left Detroit intending to visit her mother in Metropolis, Ill.

Enroute, the statement said, she became ill before the train reached Chicago. She left the train when it reached that city and went to the home of a cousin, Mrs. Ossie Harris.

The dead child was born a few hours after her arrival, the statement continued, with a midwife who lived in the same building in attendance.

Before her return to Detroit July 5, the statement said, Mrs. Smith had been treated under an assumed name and as a day patient at the Wesley Memorial hospital.

On her arrival here, the statement declared, she told her husband, a drug store owner, that because the baby was born in its seventh month, the hospital au-

thorities had advised leaving it in their care.

Describing her reactions on the night the King baby was stolen the statement related how she had prayed when the impulsive desire to steal the baby possessed her. "I asked God to help me get the baby safely home if I took him with me," she purportedly exclaimed in the confession.

Mrs. Smith denied in the statement that the abduction of the baby had been premeditated.

Both parents of the baby, Mr. and Mrs. Clarence E. Smith, testified at the examination. Mrs. King told of advertising in a daily for a part-time maid to care for Bobby, and of "Helen Rosman," the name used by Mrs. Smith, appearing in response to the ad on Sept. 23.

Mrs. King said Mrs. Smith told her she was a student at a high school here, was the only child of very strict parents, and had worked before as a nursemaid. She said she could only work after school hours.

Ordered to Prison



CHARLES C. DIGGS

Michigan Senator Ordered to Prison

DETROIT—The immediate apprehension of Charles C. Diggs, former State Senator, to begin his three to five-year prison sentence for conspiracy to corrupt the 1939 Legislature, was ordered October 2 by Special Circuit Judge John Simpson, of Jackson, Mich.

The action was taken after a full day hearing of defense arguments for a new trial for nineteen of the twenty members of the

Seventeen stewards and assistant stewards were fined \$500 each by U. S. District Judge Benjamin Harrison, and three waiters were fined \$250 each. In addition varying jail sentences were imposed but all were suspended and the 20 defendants were placed on probation for 18 months on condition that they stay out of dining car employment for that period. Otherwise, they conspired to commit theft in interstate commerce.

Provocative Incidents

Daily World - Atlanta, Ga.
(From The Lighthouse and Informer, Columbia, S. C.)

As if a contagious, a series of ugly incidents have broken upon the citizens, tending to inflict evil consequences, the like of which nobody in South Carolina wants.

Two weeks ago, a bus driver at Warrenville, S. C. slapped a middle-age colored woman and, touched off what could have resulted in an embarrassing clash of races. The driver went unpunished but eleven innocent Negro soldiers, passengers on the bus, were stripped of the uniform by Aiken authorities and put on the chaingang.

Last week in Columbia a white woman shopper ribbed a colored woman in a Main street store, was ribbed back and two had an altercation. In police court Friday, according to leaders of a woman's organization who attended the trial, Recorder T. Pon Taylor complimented the husband of the white woman: "Had this woman (colored) struck my wife, I am not so sure that I would have allowed the law to take its course". To the colored woman, he remarked: "I am only sorry this is all I can give you under the law". The statement would pose violence, would encourage violence and is to be regarded as the attitude of a man charged with dispensing justice in terms of law before the bar, at which all men are considered equal.

In Camden Tuesday, a white woman and a fourteen year colored high school girl were fined \$7.00 each following a difference between the two on Camden's Main street. The postlude to what appeared justice for both parties, is revealed in the husband of the white woman having left his insurance office, pursued and overtook the school girl, slapped, struck, and kicked her. He denied the charges and won freedom.

In each of these incidents, there is the inclination of certain persons to slap certain other persons. There is much lightness of hands and the society of "He Who Gets Slapped" is doing a booming membership business just now. But and we say this soberly, those white people who are inclined to push, strike, slap and kick Negroes around, are treading dynamite which is apt to explode and throw those of us who are innocent, who have better sense than to go around ribbing and striking people into a sordid racial mess. Those sober-thinking white and colored people who would, as do we, that South Carolina have no more Lake City affairs, had better bestir themselves. Negroes are not going to sit down or lie down and be pushed around merely because it is pleasure of somebody else. This is the fact now, whether this newspaper likes it or not.

"Get Out, Stay Out" Order Given Beaten Mississippi Man

Informer - Houston, Texas
NEW ORLEANS — This city is rapidly gaining fame as a haven for refugees from brutal beatings, and "get-out-of-town orders" from

less than three months the exposing of the brutal beating, kidnapping and running out of town of Eldredge Simmons, and the slaying of his father, Rev. Isaac Simmons, whose tongue was cut out by a mob in Amite, Miss., comes Louis Jefferson, 25, from a small colored settlement near Magnolia, Miss., battered and beaten almost beyond belief, and ushered out of town and told not to come back.

According to Jefferson, a hook-up helper at a shipbuilding plant in Goodbee, La., he had gotten leave from his job to go to his mother, Mrs. Victoria Jefferson, who farms corn, cane and cotton in the settlement near Magnolia and help harvest her crop.

Jefferson says he went because of his mother's need for him, and cited the following: "There are ten children in my family. Our father is dead, and mamma tries to carry on, on the farm. Flozelle and Henry, two of my brothers are in the army; Lehman and Edward in the navy. Johnnie Lee and Caldwell are in defense work, and that leaves only Sarah, Flora Mae and Clara, my younger sisters to help, and Sarah is married. So after mamma asked me, I thought I'd take my wife and go up there and help her," he said.

"I had taken one bale of cotton to town for my mother, and on my second time in from the settlement, there was some trouble in a place run by Mrs. Carrie Kuykendall in which I was not at all involved. When the officers came they took me and beat me unmercifully and would have killed me if it had not been for Miss Carrie and Herb Simmons.

"They threw me in jail and charged me with being drunk, disturbing the peace and attempting against the law. When my wife went and got my mother to see about me, they put her (my wife) in jail and kept her from Thursday to Saturday. It cost \$25.90 to get her out. My mother had to pay \$210 to get me out. There was no trial nor anything else.

"When they released me, they told me to get out of town and stay out of town. That was Thursday, September 21. I finally made it here to Charity hospital where they dressed my head and eye Saturday, September 23."

Jefferson has a 2B card from draft board No. 2 in Magnolia.

APRIL 1944
Negro Soldier Hanged
ORLANDO, Fla., Dec. 19. — (AP) — Pvt. Charlie B. Williams, negro of Akron, Ohio, was hanged Tuesday at the A.A.F. Tactical Center here after being found guilty by a general court martial of the double slaying on May 3 of two negro military police guards.

Let's Halt Bus Incidents

World - Memphis, Tenn.

It is our considered judgment that the overwhelming majority of bus and street car incidents can be avoided if only a modicum of restraint and common sense is exercised by either party to such a dispute. The case of President R. Elwin Lamb of Edward Waters College in Jacksonville, Florida, proves the point.

According to his version, President Lamb had been on business at the State Capital in Tallahassee. Upon completion of his business, he discovered that it was too late to get a train out to Jacksonville. Failing in this, he sought passage on a Greyhound bus. He was the last to board the bus, thus making it necessary for him to stand up the distance from Tallahassee to Jacksonville. Seeing several vacant seats among the white passengers, rather than asking them personally, to share these seats, with logic, he requested the bus driver to do so. Not only did he fail to do so but likewise proceeded to call the police, whereupon President Lamb was beaten and jailed.

Here we have a clear instance where exercise of a little restraint and reason would have solved a problem most certain to engender hate and suspicion among white and colored citizens. Most bus drivers we have met have been poor adjudicators of any sort of difficulties. To the contrary they have often been agitators.

Couple Held in Rent Racket Accused of Fraud as 'Agents'

A Negro couple accused by the U. S. prosecutor's office of running "one of the most vicious rent rackets in District history," will face the Municipal Court bar today on false pretense charges that masquerading as rental agents they accepted \$10 to \$50 deposits on various empty rooms and apartments here.

They are Mrs. Florenceinette Barber and her husband, Cornelius Barber, 1400 block of Irving st. ne. They pretended to rent quarters on 25 occasions, according to Assistant United States Attorney Jack Diamond, prosecutor of the case. He said the Barbers represented certain empty houses to be for rent by them, even in white sections of town, which they explained away by saying the section was being converted into a Negro neighborhood.

Mrs. Barber usually showed the houses to prospective tenants but always "forgot" her key after arriving at the address, the prosecutor added. Policewoman Katherine Medina worked on the case a month before arresting the couple.

Deputy Sheriff Strikes Aged Negro Man: Is Dismissed From Force

Informer - Houston, Texas
HOUSTON.—Chief Deputy Frank Paul completed this week an investigation into the alleged striking of an elderly colored man, by one of the members of the Harris county's sheriff's office force. The investigation resulted in the dismissal of Deputy Sheriff Frank Alfano who had been on the force for several years. Deputy Paul revealed that several white witnesses had admitted that Alfano struck the colored man after the latter's car and county patrol car, operated by

Alfano, collided. Deputy Paul said that Deputy Sheriff Alfano was dismissed because he was guilty of "conduct unbecoming an officer."

Rapist Who Killed White Cop Hunted

AP - Memphis, Tenn.
WAKE FOREST, N.C.—Local and State officers, aided by the State Prison department, are searching for James Taylor, about 45, escaped convict, who allegedly raped Alice V. Perry, colored, and fatally shot J. L. Taylor, constable of Wake Forest Township, Tuesday.

The shooting occurred about a mile south of here, just off the Raleigh Highway after Constable Taylor attempted to arrest Taylor when he approached the scene of the alleged rape of the girl. Taylor, whose record revealed that he escaped last August from

AP - Memphis, Tenn.
Negro Worker Beaten By Arkansas Mill Owner Because He Left Job And Took Work In Defense Plant

A Memphis Army Depot employee went back to his home in Earle.

Arkansas last week...went to his former employer at the Wallin Lumber Company there, to get his back pay...and received, along with his \$7.32 pay...a brutal beating.

The victim is Warden Gilliam 23, who lives at 228 Wisconsin Ave. here

Gilliam has instituted suit against the owners of the Earle, Ark., concern for the beating he received at their hands. The owners, Luther Wallin and his son, "Tige" Wallin, are to be sued by Gilliam's attorney, A. A. Latting, prominent Memphis lawyer.

Gilliam's account of the affair is as follows: He was employed at the Wallin sawmill in Earle for two and a half years before coming to Memphis. After hearing government broadcasts and reading news stories stating that men under 23 years of age must take jobs in essential industries or face the prospect of being re-classified in the draft and being sent to the armed services... Gilliam, who has a 4-F classification and is married with a family this wife is pregnant now, decided to seek another job. The Wallin mill is not a defense plant

Gilliam served notice to his employers that he was leaving on the week end of May 20th. They consented. He came to Memphis and obtained a job at the Army Depot. Two weeks later, at the time when the Wallin payroll is paid, he went to Earle to see his family and get his 'accumulated time.'

When he went to the plant office he met his former foreman and plant bookkeeper. They jocularly told him that his pay had been used but proceeded to begin filling his payroll envelope. While Gilliam was bending over to sign the envelope, Wallin and his son walked in.

The Elder Wallin asked Gilliam where he was working. He told Wallin "in Memphis."

A second later, the elder Wallin began striking Gilliam over the head with a blackjack. He knocked him to the floor. While he was down there Wallin's son kicked him. Gilliam struggled to his feet and the Elder Wallin continued to beat him. Gilliam finally managed to run out of the officer door. Several white witnesses saw the incident but made no attempt to restrain the father and son.

Gilliam finally ran out of the door, but was called back by the Elder Wallin who said, "Come back here and get your money." Gilliam returned. When he had

received his check and turned to leave again, he heard Mr. Wallin say, "Come back and see me."

Gilliam said he kept going. He returned to his home in Earle and stayed overnight. He consulted with Attorney Latting when he returned to Memphis. Mr. Gilliam is anxious to institute suit in order to establish the right of men to leave a job considered non-essential when the government is urging men to obtain jobs in war plants.

WDL Investigation Uncovers Mass Arrest Of Vagrancy And Imposition Of Fla. Negroes

By JOE FELMET

FORT LAUDERDALE, Fla.—A Workers Defense League investigation in Fort Lauderdale and other parts of Broward county, Florida, 28 miles north of Miami, revealed the false arrests of approximately 45 Negro laborers on alleged charges of vagrancy and imposition without trials of fines ranging from \$20 to \$35.

The mass arrests followed an enforced labor decree by Sheriff Walker Clark last September under which persons found idle on the city streets were subject to arrest. About half of the arrested Negroes were members of Local 1526, International Longshoremen's Association (AFL), employed regularly at Port Everglades, a commercial harbor on the waterfront at Fort Lauderdale, and all the WDL investigation showed, possessed means of support. The Negroes obtained release from the county jail after paying fine arbitrarily imposed by the sheriff's office, without their ever appearing before a judge or having an attorney to defend them.

Fourteen men and women were arrested on February 9, 1944, when they refused to pick beans on the farm of Mayor Dewey Hawkins of Oakland Park, nine miles north of Fort Lauderdale, after they determined that the beans had been picked twice before and were not abundant enough to make the work profitable to them. In the second case which the WDL investigated, approximately 35 men were arrested on March 24 and 25, 1944, in the Negro business district of Fort Lauderdale during their hours off from

Negro Boy Wounded
Eddie Williams, 11-year-old Negro, of 828 22nd Street, Bessemer, was admitted to the Hillman Hospital with a bullet wound of the right hip Sunday afternoon. The boy told attendants at the hospital that he had been shot by a police officer. Attendants reported the boy's section to City Detectives DeGroat and Propst who began an investigation to determine how the boy had been shot.

On the morning of Wednesday, February 9, a driver with a truck appeared in the Fort Lauderdale Negro residential district for the purpose of securing a group of Negroes to go to the farm of Mayor Hawkins at Oakland Park to pick string beans. The driver told the persons who were assembled that Hawkins was paying 60c per hamper for bean picking and that he had "first and second pickings."

Eight women, six men and five children agreed to go to the Hawkins farm. When they arrived at the farm, they waited until the dew had dried and then prepared to go out into the field to begin picking. Various members of the party inspected the field by walking along the rows in order to determine the abundance of the beans. Their judgment was that the beans were hard pickings and that they would not be able to gather enough beans to make the work profitable. Their decision was to leave the Hawkins farm and begin walking along the highway in search of another bean field in which they might work.

But when they started toward the highway, Hawkins men, and stopped them at a bridge on his farm road. He declared that he was out of patience with pickers who walked away from his field. He complained that he had used valuable gasoline to go after them and told them they "ought to be put across a log and strapped." He admitted that the beans had been picked twice before, but insisted that they were "as good as first and second pickings."

Mayor Issues Threat
Hawkins threatened that, if any

of them crossed the bridge, he would shoot them. He announced to them that he had a gun in his possession and made a gesture toward his pocket as if reaching for it, the Negroes reported.

The Negroes offered to go back to the field and pick enough beans to pay Hawkins for the gas he had used for the trip to Fort Lauderdale, but Hawkins was not willing to make such a compromise, saying that he did not want them to work if he had to "force" them. He called his field walker and ordered him to go after Chief Deputy Sheriff Robert H. Clark of Broward County. When Chief Deputy Sheriff Clark and a Florida State Police Officer arrived on the scene, Hawkins asked Clark to arrest the Negroes. He said that he did not want them to go back to pick beans to pay for the gasoline, and asked Clark to take them to jail.

On the way to Fort Lauderdale, Clark told the arrested Negroes that the amounts of their fines would be \$35 each and that they were charged with vagrancy.

The 14 men and women were lodged in the Broward county jail shortly before noon. The children whom Hawkins returned to their homes in his automobile broadcast the news of the arrests in the community.

One woman, the mother of two small children, pleaded with Clark to release her in order that she might return to her household duties. Clark consented to her release on condition that she return and pay a \$35 fine. She returned to the sheriff's office the same day and paid \$35 for herself, \$35 for her husband, \$35 for her daughter and \$35 for another woman who was not a member of her family.

The mother of another of the women attempted to secure her daughter's release on bond. But when she was told that bond would cost \$50 and that "it would be better for you to pay the fine," she paid \$25 for her daughter's release.

Two of the prisoners who stayed in jail over a week were released after paying fines of \$4.50 each. Six prisoners were freed over a period of four days from the date of arrest in payment of fines ranging from \$25 to \$35.

None of the prisoners ever saw a court room or a lawyer during the entire process.

Off-duty Arrests

Three passenger carloads totalling approximately 20 Negro men, were jailed as a result of a roundup in the Negro business district of Fort Lauderdale on Saturday, March 25.

Two of the arrested men interviewed during the WDL investigation, were members of Local 1526, International Longshoremen's Association (AFL) who were off duty from work at the time of their arrests.

Both longshoremen worked steadily at Port Everglades, the harbor on the waterfront at Fort Lauderdale. Saturday, March 25, was the first Saturday one of the men had not worked in three weeks. He was a tractor driver and had not gone to work that day because the use of a tractor was not required for an Irish potato boat which was being unloaded.

The longshoreman went from his home to the Negro business district of Fort Lauderdale in the morning and found Chief Deputy Sheriff Clark and City Policeman Joe Smiley standing on a sidewalk questioning a group of Negroes whom they had called over to them. Smiley summoned the longshoreman over to the group, and Clark asked him where he worked. The longshoreman was attempting to explain the circumstances of his not working that day when Clark interrupted and ordered him to get into the sheriff's car which was parked nearby.

The second longshoreman had been working at Port Everglades for six months. The only days he had off were Sundays. He was on his way to work the morning of March 25, but had stopped to converse with a friend, when Smiley summoned him over to the group of Negroes whom Clark had assembled around him. Clark asked the longshoreman where he worked. When the longshoreman told him that he worked at Port Everglades, Clark's reply was: "Get in that car over there."

The farm helper, arrested for vagrancy at the same time, had a bank account of \$150.

The 20 Negroes were lodged in the county jail and charges of vagrancy were placed against them. Clark told one of the longshoremen that he would be released on payment of "court costs" of \$19.85 and permitted to go to Port Everglades to collect his wages. The longshoreman returned, paid \$19.85 in payment of fines ranging from \$25 to \$35, and has in his possession a receipt, signed by Marshall, noted "court costs."

The second longshoreman and the farm helper were released on payment of fines of \$35 each, but without having received sentences.

Both longshoremen returned to their jobs at Port Everglades the following Sunday and Monday,

action against the Broward County official involved.

Seven Negro men were picked up in the Negro business district of Fort Lauderdale on Friday, March 24, about 11 a.m. by a deputy sheriff during their hours off duty, when fines were charged with vagrancy. Two of the men, who were interviewed

15-1944

S.C. Bus Co. Sued for Girls' Beating

Afro-American
Baltimore, Md.
SPARTANBURG, S.C.—The local Civic Association has instituted a damage suit against the Duke Power Company for Misses Dorothy Foster and Mildred McGowan, both under twelve years of age, who were beaten by a driver of a company bus. On her way to church one February evening, Miss Foster, accompanied by Miss McGowan, stumbled against the foot of a white passenger as she passed from the front to the rear of the bus they had boarded.

Driver Uses Blackjack
Slipped by the passenger, she retaliated, whereupon the bus driver came to the former's aid, using his blackjack on the heads of Miss Foster and Miss McGowan, whose help he anticipated. The heads of both girls required stitches.

In the local police court, Miss Foster was fined \$15.75 for disorderly conduct. The civic association, of which the Rev. G. S. Thomas is president and R. L. Raiford, UWSO head, is secretary, secured counsel and guardians for the two girls.

Army Probing Jones' Attack

Courier - Pittsburgh
9-16-44 Pa.
Leading Negro newspapers throughout the country, the Associated Negro Press and the Negro Newspaper Publishers' association joined The Pittsburgh Courier this week in its protest to the War Department demanding that representatives of the various papers be guaranteed full protection while reporting news.

NEW ORLEANS, La.—Major F. H. Claridge, commanding officer at Camp Plauche, and attaches of the provost marshal's office here continued their probe this week into the September 2 stabbing of Lucius Jones, managing editor of the Louisiana edition of The Pittsburgh Courier. Attacked by five soldiers at a dance, the newsman suffered stab wounds of the head and back. Jones, whose condition is improved, was unable to identify any of the five suspects held by Army authorities.

How Long Shall We Tolerate It?

Daily Worker - New York, N.Y.
FLORIDA last week, as a part of the South's perpetual campaign to "protect" womanhood, executed three Negro youths. The charge was, as usual, "rape." There was hardly any aspect of the circumstances, before or during the 80-minute "trial," which did not brand the proceedings a frameup. Nobody, except Florida officials—and, perhaps, the newspapers with whom the officials cooperated—even now knows the woman's name.

Another woman, at Abbeville, Ala., which is also in the South, reported even while the Florida "trial" was going on that she had been raped by five young men. Her and her father's persistence forced one man's arrest. He was released. The others, all of whom she has named, have never been molested by the state.

Why? Mrs. Recy Taler—yes, her name, too, is known—is a Negro. The youths she accuses are white.

Such discriminatory and brutal injustice outrages the democratic instincts of every true American. How long do we intend to tolerate it? This barbarism against the Negro in the South threatens us and all our democratic institutions. It is time we ended our complacency. It is time we did something.

Governor Says Negroes Wanted To Lynch Youth

Tribune - Philadelphia, Pa.
Electrocuted In S. Carolina

SUMTER, S. C. (ANP)—Negroes wanted to lynch 14-year old George Stinney Jr., of Alcolu, Gov. Olin D. Johnston said in a letter to Sumter's minister: June 14, it was disclosed this week. The governor's statement came in reply to a plea that the lad, who on June 16 died in the electric chair for the death of two little white girls, he spared because of his extreme youth.

Declaring that he had nothing to do with the case himself and recounting the report of arresting and questioning officers, Gov. Johnston said: "One other thing, the colored people of Alcolu would have lynched this boy themselves had it not been for protection of officers."

Subsequent questioning of Negro leaders at Alcolu failed to reveal more than a feeling of "pity and grief" for the fate of 14-year old lad. Leaders agreed that tension was high but said that this was because of "anti-Negro" sentiments and feelings that followed the incident. For several days after the crime Negroes were antagonized and some even abused. A "lynch" spirit prevailed in the community in Sumter county and but for the efforts of officers the state might have had its first lynching in 20 years.

It is felt here that the governor's statement may have been based on

ing Miller's report confidential until he does.

Camp Officials Assure Newspapermen Soldiers To Be Court Martialed

Weekly - New Orleans, La.
9-16-44
New Orleans, La.—A thorough investigation is being made in the case of Lucius Jones, editor of Pittsburgh Courier's Louisiana edition, who was stabbed and slashed allegedly by Camp Plauche soldiers at Rhythm Club, 3000 Jackson Avenue, at a dance last Saturday, September 2, Major F. H. Claridge, Provost Marshal of Camp Plauche, told representatives of leading Louisiana Negro newspapers in an interview on Saturday.

Advancing the possibility that Mr. Jones' assailants may not have been Camp Plauche soldiers, Major Claridge pointed out that the affair at which the slashing occurred was in the nature of a public dance at which fifty cents admission was charged and was not necessarily attended by Camp Plauche soldiers exclusively.

Acting under orders of Carter W. Wesley, vice-president of the National Negro Publishers' Association; John E. Rousseau, Jr., city editor of the New Orleans Informer-Sentinel; Ernest J. Wright, columnist of the Louisiana Weekly, and Alden Bynum, city editor of the Sepia Socialite, called on Major F. H. Claridge at Camp Plauche shortly before noon Saturday to discuss the unfortunate Jones affair.

Despite the possibility of soldiers from camps other than Camp Plauche attending the dance at which the yet unidentified service men stabbed the Pittsburgh Courier representative, a thorough investigation is being conducted at Camp Plauche, 58 men from 11 service organizations having been questioned up to Saturday, Major Claridge said.

In support of his contention, Major Claridge exhibited invita-

tions to the affair at Rhythm Club, September 2, sponsored by the "Girls About Town", of which Miss Edna White was listed as president. The invitations provided for a fifty cents cover charge and did not specify that admittance would be confined to Camp Plauche soldiers, it was pointed out. "Several soldiers were apprehended for disorderly conduct and for fighting among themselves and Mr. Jones was permitted to see if he could identify any of them as his assailants," camp officials declared.

"According to our understanding, tickets to the dance given by a group of young ladies were distributed by Private Bill Donaldson of the Special Services to first sergeants of various organizations in Camp Plauche. The sergeants were instructed to give the tickets to the twenty best men in their organizations," camp officials said.

In the course of the investigation, sergeants from the various organizations have been called in and none has been able to give information as to the identity of Mr. Jones' assailants, it was stated.

The interview concluded with Major Claridge's declaration that the investigation is by no means terminated; that Mr. Jones will be called to the camp in the near future to see if he can identify his assailants from among the men there, and that, if found, the guilty parties will be subject to court-martial.

The arrest of the 32-year old woman, an climax of a nation-wide search for the missing baby. Police, after hearing Mrs. Smith's unemotional story of how she brought the child from Chicago where she gave birth to it at a mythical Western Memorial hospital there, hinted that the attractive abductor is suffering from insanity. She told them that she did not want

Hold Pharmacist's Wife For Kidnapping White Baby

DETROIT.—(ANP)—Police identified Mrs. Eleanor Smith, wife of a

to live without the baby and expressed hope it would be returned to her as soon as the real kidnapers were apprehended.

Events that led up to the arrest of Mrs. Smith started when police received a tip-off through a local newspaper which offered a reward leading to the apprehension of the kidnaper and had been given a lead by George D. McKee, who stated he had noticed Mrs. Smith and her baby at St. Stephens church. McKee also said that what attracted him was the fact that the baby was very fair with blue eyes, medium brown hair, and that the child did not appear to be colored, adding that there appeared to be a feeling of dissatisfaction between the husband and mother-in-law regarding the baby and possibly the husband was in doubt as to whether or not it was his child.

After police identification routine, which included the taking of finger prints and footprints of the baby and Mrs. Smith, she, her husband, Eugene Smith, Leon Grant and Mrs. Mary Grant, were arrested and brought to the police headquarters where they were questioned by Lt. Robert Sneed.

Story Fantastic

Police termed Mrs. Smith's story fantastic and unemotional and said that she seemed to be a psychopathic subject. All references as to where the baby was born and when it was born was checked by the police department and investigators.

Both Mr. and Mrs. Clarence F. King positively identified the baby as their own and identified Mrs. Smith as the Helen Rosman who formerly was employed by them as maid in their home when their baby disappeared.

Two Soldiers Sentenced To Death

COLUMBUS, Ga. — (ANP)—Two Negro soldiers, Pvt. Curn L. Jones and Pfc. Allen M. McDonald, were convicted of murder and given the death sentence by general court-martial sitting at Fort Benning, it was announced Saturday by Maj. General Fred L. Baker, commanding of the infantry school, the appointing authority in the cases. The death sentence must be approved by the President before being carried out.

The two soldiers were charged with the fatal stabbing of Pvt. Dudley E. Parnell, white soldier, who was attacked by the two defendants in a store on the outskirts of Columbus on the night of August 30.

White mother pleads for sympathy for baby abductor

DETROIT—Berating those who have condemned the woman, a white mother, Mrs. Katherine Felahouse of this city, pleaded in a letter written to the Detroit Tribune here last week for the sympathy of "every Christian mother" for Mrs. Eleanor Smith, allegedly self-confessed kidnapper of the white baby she had been hired to nurse.

Mrs. Felahouse, who expressed sympathy for the parents of the baby, declared that "Mrs. Smith certainly has all the symptoms of a psychopathic" and stated that she was "surprised the Police department has not come to this conclusion before now."

"Instead of condemning the accused woman, the public should demand that a first class psychiatrist be provided to care for her and Christian lawyers to take her case."

"As stated in the newspapers," the white mother went on, "the fact that the infant gained one and a half pounds during the 10 days it was in the care of Mrs. Smith, is proof enough or should be that it was an unusual case, as Mrs. Smith did not take the child for money or money. She had no motive other than to possess a child—somebody alive and tangible—something she could love. Longing for a child of her own, frustration in her desire for motherhood and perhaps constant brooding and melancholy brought her to her present pitiful state."

An alleged confession that Mrs. Smith kidnapped 4-months old Bobby King "because I wanted a baby in my arms" was released by the Prosecutor's office last week, though following publication of an account, Mrs. Smith went into hysterics and denied the story.

The Prosecutor said she said in her confession: "My husband wanted one, too. Three years ago I thought I was going to have one, but I had a miscarriage."

"Then a year ago I became pregnant again, and when I was in Chicago in June, the baby was born prematurely, dead. I couldn't bear to tell him. I told him the baby was in Chicago and had to stay in the hospital."

"I could not stand the emptiness in my arms."

"I got a job with Mrs. King so I could be near a baby."

"Before I took Bobby, I prayed to God for strength to withstand what was in my heart."

"I put Bobby in his pink shawl and got on the street car and bus, Bobby was as good as gold. He was so darling. The next 10 days were the happiest of my life. Each night I prayed for Mrs. King, but I couldn't give the baby up."

Mrs. Smith's pastor, the Rev. Horace A. White, visited her on Saturday following and brought her a basket of fruit. She ate almost the only food she had taken since the Wednesday before.

Mr. White said he was aiding Mrs. Smith's husband, Eugene, in retaining an attorney for his wife. "She also needs a psychiatrist," Mr. White said. "I believe that she should not be taken to trial as a sane woman. She tells a story one way one minute and another the next."

The question of whether Mrs. Smith's mind is unbalanced by her desire for a child will probably be decided by a sanity commission which can be appointed after the examination in recorder's court.

If she is judged insane, she will not go to trial, but will be given treatment in an institution.

Mrs. Smith's mind appears to wander on the question of children. When she talks on other subjects, she is quiet-voiced, and logical. She told reporters that she had two children—the one which miscarried and the King child. Then she said she had two children by a former marriage, and that they had been taken away from her.

Divorce records at Jackson, however, where she obtained a divorce from James Barnett six years ago, show that no children were born of this marriage.

MORE TROUBLE

Plainscolor—Kansas City, Mo.

OCCURS ON JIM CROW BUS

Aiken, S. C., Oct. 20 (ANP)—The release of five of the 11 Negro soldiers jailed and fined here a week ago as the result of an incident on a Valley Coach bus en route from Augusta, thwarted a generally known plan of Negro soldiers at Camp Gordon, near Augusta, to "blast hell out of the pailhouse," it was disclosed Wednesday. Soldiers, the informants say, had

secreted considerable ammunition for the scheme and had made plans for "riding in," behind non-commissioned officers. The fines were paid by first sergeants or company commanders. Three of the men paid fines immediately Monday night when they were sentenced and three others arranged payment Tuesday after serving half a day on the chain gang.

Staff Sgt. Leonard A. Gray of Chicago, one of the men who paid fines Monday, said the group had mounted the bus for a social affair for servicemen in Aiken. "When we got on," he said "there were several vacant seats. Several white passengers were occupying a whole seat unto themselves; but we stood up."

"A few miles out of Augusta, a white soldier who had a double seat, pulled one of our boys down with him and the two sat there talking. Behind them was a white drunk. The driver came back and ordered the colored soldier up. The white soldier protested saying: 'We fight together so what is wrong with our sitting together?'"

"The driver told him 'it is the law of the south.' The white soldier got up saying he would take a seat further front so the colored soldier could have his. But the driver replied the colored soldier still couldn't sit there as the drunk, white. The colored soldier, without saying a word, stood up."

"At Warrenville, a colored lady with a small boy got on the bus. Noting the situation, she asked the driver to have the drunk moved up to one of the vacant front seats. The driver refused, whereupon she said she'd wait for a later bus if he'd refund her fare. Obviously fare and then struck her on the face with his fist. A white corporal and the white soldier who had left his seat because the colored soldier couldn't sit in it, both grabbed the driver and threatened to paste him if he struck the woman again. In-censed over the incident, Sgts. Robinson, Hearne and Carey of our group told him too, but from their position in the rear of the bus, not to strike her again."

"Flustered the driver grabbed his money box and left the bus. A little later another bus came along and the white passengers were asked to take it, all of them doing so excepting the drunk who was oblivious to everything. Shortly afterwards 11 police officers arrived and ordered all of us to the rear. (We had simply sat any where in the bus after the whites left and we were told to remain on.) Five of these officers remained on half at the trial Monday night."

the bus and we were brought to Aiken and put in jail. This was about 8:30 Saturday night.

The men, Sgt. Gary said, were told at the jail they would be released Sunday morning. Two military police witnessed the jailing, he said, but did not interfere but about 2:30 Sunday afternoon MP Sgt. Armstrong arrived and told the men they would be tried Monday morning for "sitting next to a deliberate fabricator of fact, the men contended. None of the men were permitted to notify the first sergeants or company commanders."

Court was held at six o'clock Monday afternoon with six police officers, two bus drivers and a manager of the bus company present. The driver, chief witness against the man, said they had beat him across the head and back. But the driver failed to exhibit a single bruise, the men charged. Sgts. Robinson, Carey and Gray pointed to this in defense.

Two of the men have been transferred to other camps, it was learned here Sunday night. They are Sgt. Robinson, who has been transferred to Camp Rucker, Ala., and Sgt. Carey, now at Camp Breckinridge, Ky.

The 11 soldiers were S/Sgt. Lewis Carey, Roanoke, Va.; S/Sgt. Leonard A. Gray, Chicago; Sgt. Aubrey Robinson of New Jersey; Sgt. Algia Hearne and Pvt. Russell England, Baltimore; Pvt. J. T. Taylor, address unknown and Pvt. William Stevenson, Chapel Hill, N. C., who has served 26 months in the Pacific war theater.

Bus Patron Jailed In Gretna, La.

GRETTNA, La. — Henry Kennedy of this city, was scheduled to be tried in city court Monday night following his arrest last Wednesday after an argument with a driver on a public utilities bus, it was learned according to reports, Kennedy was a passenger on the bus and rang the bell when he thought he was approaching his destination. When the vehicle came to a halt, he noticed that he wished to ride to the next stop and told the driver he had made a mistake, it was reported. The driver is alleged to have told him to get off anyway because he had caused the bus to stop. Kennedy is said to have refused and the driver caused him to be arrested and taken to jail. It is reported that several white passengers on the bus at the time indicated that they would testify in Kennedy's behalf at the trial Monday night.

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Mass Arrests In Union Pacific

'Dead Check' Case Made By FBI

LOS ANGELES — (NPB) — The recent mass arrest of Union Pacific Railroad dining car porters employed by FBI Agents operating under the direction of District Agent Richard B. Hood all along the line extending from here to Omaha, Nebraska. During the process of booking, fingerprinting and posting bail Friday, represented a true copy of a comedy of errors.

Waiters who had worked with stewards whom they thought regular railroad employees, learned for the first time that many of the men were FBI Agents. The men, most of the Negro waiters cried out to in greetings in the corridors of the Federal Building here thinking them their stewards turned out to be instead, FBI Agents. Consternation reigned among the bewildered dining car crewmen as the full force of their capture on charges of employing the "dead check" and "blank check" system in a giant conspiracy to defraud the company, passengers and the government out of food and revenue by withholding the true check fell upon them.

The jailed men were merely lethargic in appearance when taken into custody. Officials of Local 467 of the dining car waiters union were too dumbfounded with amazement to give reporters a coherent answer to queries as to what procedure would be followed in the members' defense. Attorney Walter L. Gordon, Jr., who rushed to the Federal Building when relatives of the men advised him to lend them every legal assistance said the government to the bitterest end. He secured the release of 50 men through the Negro Bail Bond Agency of Leonard McClain.

Agents Work With 'Erring Waiters' As R. R. Stewards

A large percentage of the men defendants in this case have already made signed "confessions" as to their guilt. Attorney Gordon, however, will attempt to have them stricken from the record when the case goes to trial on the grounds of duress. Pressure groups are expected to capitulate on this case because of its fallacy in the brackets of cases causa celebre. The men are expected to be arraigned

December 4th. Attorney Gordon expects the matter to come to trial not later than February. Cases involving the same type of offenses are expected to be made public on other roads throughout the nation if the government is successful in the present action.

Railroad officials were lashed by Flenoid Cunningham, secretary-treasurer of the dining car union, because of their failure to apprehend individual malefactors early in the game thus permitting many of the men who would have ordinarily remained honest to become involved or become stool pigeons. Lovie E. Howell, district deputy for the local and other union officials pointed out that their organization would go all out in defending the men against any injustice, they would not counteract any unlawful acts of its members.

Blackmail Attempt
Held In \$3,000

ATLANTA, Ga. — (ANP) — Thirty-year old Charles L. Cox Tuesday was indicted by the Fulton grand jury on charges of an extortion attempt, after he was arrested in the act of writing a receipt for \$3,000 for his would-be victim, Dr. Drucilla A. Spence, 42-year-old drugstore operator.

The trap for Cox was arranged by police after Mrs. Spence had informed them of Cox's blackmail attempts dating over a period of several months. Cox, she said, had asked the \$3,000 to keep him from "exposing" her husband, Dr. C. A. Spence, widely known Atlanta dentist.

The suspect, Mrs. Spence said, contended that her husband had "stolen" the love of the girl he intended to marry and threatened to make public the whole situation unless he was given the money.

Police followed Mrs. Spence to the scene of the payoff, a cafe in the Atlanta business section, and watching through the window saw Mrs. Spence as she handed Cox \$3,000 in \$20 bills as per his demand. He was signing his name to a receipt for the money when officers walked in and placed him under arrest. Bond was fixed at \$10,000

pending trial.

Judge Reads Charges As 31 U. P. Waiters Stand

By LAWRENCE F. HAMAR
LOS ANGELES. (NPB) Thirty-one men, erstwhile stewards and waiters employed by the Union Pacific railroad aboard diners of the Challenger train, stood up in federal court here Monday, and heard the government's District Attorney Carr, read the text of the charges they face and listened to Federal Judge Benjamin Harrison acquaint them with their rights during the course of subsequent trials.

On motion of counsel for the defendants, the court postponed the making of a plea by any of the men, setting such time for the hearing until all of the 136 defendants had been identified before the court.

A crowded courtroom was on hand to hear the proceedings in the trial of the men recently rounded up in a sensational mass arrest. The fireworks the crowd expected failed to materialize. The 31 defendants, mostly waiters, came quietly into court and after a short period of whispering between defense attorney, Walter L. Gordon Jr., representing a majority of the men, Morris Levine and Lee Shapiro, leave was requested of the court to postpone the hearings until Dec. 26, thus permitting every one of the 136 defendants to have had an opportunity to be identified with the case.

This move granted, the court ordered the defendants each to rise and answer to his name while the charges were being read. This was repeated 31 times. Judge Harrison in acceding to the motion for postponement made by Atty. Gordon, said he would hear batches of defendants on each succeeding Monday preceding the 26th of the month in order that the men would be ready and available to make their common plea.

Meanwhile, it has been reliably reported that scores of the accused waiters have received draft reclassifications from draft boards.

High Court Gets Detroit Digit Case

AFRO-AMERICAN
Joe Louis's Manager

Says Rights Denied TWO GIVEN 5 YEARS 30 Colored Veniremen Eliminated as Jurors

WASHINGTON John W. Roxborough and Everett L. Watson, both of Detroit, have asked the Supreme Court to review their conviction by Michigan courts on a charge of conspiracy to bribe public officials in Wayne County, Mich., not to interfere in the operation of the policy game.

In their petition, filed through Houston, Houston and Hastie, attorneys, they contend that their constitutional rights were violated by the deliberate exclusion of qualified colored persons from the trial jury through the use of peremptory challenges.

Roxborough, one of Joe Louis's managers, and Watson were two of the sixty-five defendants tried jointly in the Circuit Court of Wayne County. Twenty-two were discharged on directed verdicts.

Given 2½ to 5-Year Terms
The jury returned a verdict of "not guilty" as to eighteen defendants and "guilty" as to twenty-three defendants, including Roxborough and Watson, who were

each sentenced to the state prison for two and one-half to five years.

The trial began on September 17, 1941, with approximately three weeks being consumed in selecting a jury. In selecting the jury, several jury panels, totaling 300 veniremen, were exhausted.

30 Eliminated
The petitioners charge that more than thirty colored veniremen, presumptively qualified, were immediately eliminated by the prosecuting attorney through misuse of his 325 peremptory challenges.

A motion for a new trial, stressing among other things, the same alleged violation of constitutional rights of the defendants, was made by four defendants.

On February 18, 1942, the petitioners alleged, proof became available for the first time that the prosecuting attorney had excluded all qualified colored veniremen from the jury solely because of their race or color.

Journalist Signs Affidavit
They say that on that date they obtained the affidavit of John R. Williams, editor of the Detroit edition of the Pittsburgh Courier, quoting the prosecuting attorney as having made the following statement:

"The Roxborough-Watson interests are so wide that I prefer not to have any colored veniremen on the jury and, further, practically every colored person in Detroit is a numbers or policy player anyhow, and as such is unfit to serve on a case involving such matters."

On the same day Roxborough and Watson filed supplementary motions for new trials, alleging violation of their constitutional rights by that exclusion. The trial court overruled the motions.

Motions Denied in Mich. Courts
The Michigan Supreme Court, moreover, held that their rights had not been violated in the selection of the jury. Applications for rehearing, repeating the claim of violation of constitutional rights, were submitted and denied.

The Michigan Supreme Court later stayed further proceedings in the case pending application to the United States Supreme Court for a writ of certioria.

Declaring themselves to be innocent, both Roxborough and Watson say they had valid and complete defenses, which were not presented at the trial because of error in judgment on the part of their trial counsel in relying too heavily on their motions for directed verdicts.

FBI Catches Dining Car Workers In Mass Arrests
LOS ANGELES—One hundred and thirteen Negro dining car employees were arrested, Saturday, on charges of withholding receipts for meals from the Union Pacific Railroad, officials of the Federal Bureau of Investigation announced this week.

It was reported, also, that twenty-three white railroad employees had been indicted, and twenty-three chiefs had been named as co-conspirators, \$150 during a round trip on such trains as the Challenger, speedy sons were charged with withholding receipts for meals which cost the railroad company an estimated \$200,000 per year.

Review Board Considers Camp Claiborne Soldier
WASHINGTON, D. C.—The NAACP presented an oral argument and filed a brief with the Supreme Court for a writ of certioria. Judge Advocate General's Board Review on behalf of Sgt. Conway Price, convicted of failure to suppress mutiny on September 29, at Camp Claiborne, La.

It is reported that Flenoid Cunningham, attorney for the Dining Car Waiters Union (AFL), has declared that the indictments are "ridiculous" and that they represent an attempt by the Union Pacific to break the union.

counsel of the NAACP, in presenting oral argument to the Board on behalf of Price pointed out that not only was there not a mutiny in the presence of the accused, but that Price was conscientiously seeking some sort of instructions from the officers as to how best he could help in the situation.

Wholesale Arrests Of Dining Car Waiters and Stewards By FBI

Norfolk-Journal & Guide
Special to Journal and Guide

LOS ANGELES, Cal.—Charged with having swindled the Union Pacific Railroad Company out of sums estimated at \$200,000 a year by withholding receipts for meals, 132 dining car waiters and stewards were arrested Saturday, the Federal Bureau of Investigation announced.

One hundred and thirteen colored, and 23 white employees of the railroad have been indicted, U. S. Attorney Charles H. Carr said. Twenty-three chefs have been named as co-conspirators but have not been indicted, the attorney asserted.

The arrests included 79 in Los Angeles, 23 in Omaha, 11 in Salt Lake City, 11 in Cheyenne, and eight in Las Vegas, the FBI said.

The thefts are alleged to have been committed on trains operating between Los Angeles and Omaha, with the serving of meals to service men providing the chief source.

HOW RACKET WORKED

Richard B. Hood, FBI chief who estimated the losses, said that those involved carried out the swindle by using meal checks more than once, or by failing to give meal checks, merely collecting the money paid by customers and pocketing it.

"The racket on each train," Hood said "was directed by the stewards who are accountable for all funds. The money paid for meals was split equally between the waiters and the stewards or assistant stewards." He declared the crews operated honestly when danger of detection arose, adding:

"They realized that someone might notice an increase in receipts when inspectors were on trains, and sometimes discouraged patronage by having a waiter emphasize, in announcing meals, that fish would be served."

It was claimed that the manipulation enabled stewards to average around \$150 a round trip on the Los Angeles Challenger alone.

On occasions, it was charged, waiters have failed to give meal checks to entire seatings of 68

Georgia Beats Negro Soldier, Forces Him To Serve on Chain Gang After Phony Rape

COLUMBUS, Ga. — (ANP) — A Negro soldier has been chained; he has been beaten and he has been forced to serve 32 days on the road gang here. According to reports from a nearby army hospital, this is the latest development of a vicious campaign directed against Negro soldiers stationed in this area by white police officers.

A sub-rosa investigation revealed that the unnamed soldier was first charged with an attempt to rape a white woman; that in making the arrest white police officers, anxious to release their anti-Negro feelings, administered a thoroughly vicious attack on the Negro soldier by beating him unmercifully about the head with blunt instruments, not caring to investigate the charges.

The trial judge, the investigation revealed, dismissed the attempted rape charge for lack of evidence but assuaged the arresting officer's feelings by sentencing the badly wounded soldier to serve 32 days on the road gang. Police then rushed the Negro soldier to the Columbus City hospital for emergency treatment and to the chain gang where he remained without further medical care until his release.

An army hospital report stated that "this soldier showed many healed lacerations of the scalp. He was depressed, tense, fearful and complained that the head aches were so severe as to make it impossible for him to remain on duty," the report added.

Wouldn't Call Sell Man Jailed

HOUSTON, Texas.—Alexander H. Gavion, Jr., was forced off a local bus, beaten by police who tore up his draft card and kept him in jail all night for refusing to call himself a n—r, charging him with "disorderly conduct," he told the local NAACP.

Ordered to the front of a River Oaks bus, Monday evening, by an officer who thought he was white, when Gavion insisted he was between the stewards and wait-seated in the proper place and refused to apply the epithet to himself, the policeman drew a gun, threatened him with death, then arrested him. Beaten by his captor "where iters will not show" on orders of a prowler car crew that took him to jail, his draft card was torn up and he was locked up. Freed on Tuesday, he charges the next morning, he was still held by the officers until his father came for him at 2:20 p.m. Tuesday.

Police Chief Percy Heard has been given a copy of Gavion's complaint and asked to investigate

Arrest 134 in Dining Car Fraud

FBI Agents Posed As Members of Crew

By LAWRENCE F. LaMAR

LOS ANGELES. — (NPB) — Pandemonium broke loose hereing Car Waiters Union were too Friday evening, Nov. 24, with the disclosure of mass arrests of Union Pacific dining car employees totaling 134 waiters, chefs and stewards. Relatives of Negro waiters aboard the crack Challenger Limited and other Union Pacific trains crowded the corridors of the Federal building here Saturday morning as FBI agents marched some 90 or more employees of the rail line into the building for fingerprinting, photographing and setting of bail.

Of the number arrested, 113 were said to have been Negro employees. The arrests occurred on the line extending all the way from Omaha, Neb. to this city. The men were arrested following a secret indictment charging them with fraud and conspiring to defraud an "interstate shipment" in order to come under the federal statute. U.S. Attorney Charles H. Carr, who secured the indictments before Federal Judge Benjamin Harrison, said the mass arrest was the largest in local federal court history.

\$350 On A Round Trip

Federal agents who had been secretly placed in key railroad jobs, including that of assistant steward, patiently gathered over a period of time, taking note of the food requisitions, meals served and cash receipts in order to clinch the evidence. FBI agents disclosed the fact that a working agreement had been conspired in between the stewards and waiters wherein a round trip would be taken for a sum of \$350, which was revealed the two stewards would take \$75 apiece and the remainder split between the waiters.

This ingenious plan was worked out in two ways. In one instance the waiter usually worked and he was locked up. Freed on Tuesday, he charges the next morning, he was still held by the officers until his father came for him at 2:20 p.m. Tuesday.

The other was the "stretching plan." This was accomplished by the crew serving a much smaller order than was indicated by the bill of fare.

Servicemen and Aged Duped

Servicemen, old people and others unfamiliar with rail travel were the usual dupes, it was reported. Union Pacific railroad officials estimated they suffered a \$20,000 monthly loss through this type of fraud.

During the process of booking, fingerprinting and posting of bails a true copy of "A Comedy of Errors" was seen. Waiters who had worked with stewards whom they thought regular railroad employees learned for the first time that many of the men were FBI agents.

Officials of local 467 of the Dining Car Waiters Union were too dumbfounded with amazement to give reporters a coherent answer to the query as to what procedure would be followed in the members' defense.

Atty. Walter L. Gordon Jr., who rushed to the federal building when relatives of the men advised him to lend them every legal assistance, said the government would have to prove its case to the bitterest end.

He secured the release of 50 men through the McClain Bail and Bond company, a Negro firm. The bonds were \$1,000 each.

Flenoid Cunningham secretary-treasurer, and Lovie E. Howell, district chairman of Local 467 in whose jurisdiction most of the arrests occurred, said their organization would go all the way in seeing to it that members of their local arrested would be protected in their rights.

They intimated that Atty. Walter L. Gordon Jr., would represent the rights of the union in this regards. Preliminary hearings are set for Monday, Dec. 4, in the federal court building.

Convicted Men Were Given 200 Years In Prison

Victim Held Mortal
Fear Of Black Americans

SEATTLE-(ANP)- Guglielmo Olivette, the Italian war prisoner whose body was found hanging from a guy-wire, was a suicide. That testimony was brought out during the recent riot-murder trial of 41 Negro soldiers here by defense counsel Maj. William Beeks.

Beeks created a sensation in court when he produced a letter written on July 17 by the U.S. officer commanding the Italian service unit asking for a mental examination of Olivette. The dead Italian's fear of Negroes was the result of his experiences with French Moroccan troops who captured him in North Africa, American and Italian witnesses testified.

Inability to obtain sufficient evidence to place the three accused men, Cpl. Luther Larkin, Sgt. Arthur J. Furks and Pvt. William G. Jones, near the murder scene was instrumental in dropping the murder charges against them, it was learned. There was no evidence to support reports of good relations between the Negroes and the Italian war prisoners prior to the fracas, which is attributed to smoldering resentment by Negro soldiers against Jim-crow treatment.

The riot began, according to witnesses, when two Ne-

soldiers were badly beaten by the Italians and dumped near the barracks. Twenty-eight Negro soldiers received around 800 years in prison sentences for rioting but the murder charges against three of them were dismissed.

Soldier-Hoodlums Stab Courier Editor

The Pittsburgh Courier has wired a protest to the commanding officer at Camp Plauche over the beating and stabbing of its Louisiana editor, Lucius Jones, by a group of soldiers at a dance last Saturday in New Orleans. The Courier also demands adequate punishment for those guilty of the assault.

NEW ORLEANS, La.—Attacked by five young soldiers from Camp Plauche who claimed "We don't allow any Jodies on the dance floor," Lucius Jones, managing editor of the Louisiana edition of The Pittsburgh Courier, was stabbed in the back and about the head at a cabaret party given by one of the young women's clubs of New Orleans. Forty-eight stitches were required to close his wounds.

Jones reports that he had attended the affair on a picture assignment with a photographer when he was approached by the soldiers, all of whom had knives. One of them demanded to know why he was not in uniform and then told him that the soldier and his buddies did not allow any "Jodies" on the floor.

ONE SOLDIER IN CUSTODY

As Jones started to leave he was stabbed on both sides of the head and slashed down his back. The back wounds alone required 41 stitches.

Leaving the hall, Jones placed himself in the hands of civil and military police. Military authorities took one soldier into custody who, however, Jones states, was not the one who first accosted him.

The party was an invitational affair and members of the club state that the soldiers involved in the attack, who are still unidentified, had not been invited.

Theodore Brown Is Accused Of Draft Dodging

Atlanta Daily World
Agency Official

Says Case Will

Be Investigated

ATLANTA, Ga.

Admitting that interest in such a matter involving one of its staff members would be a "natural reaction" of the agency, the FEPC spokesman said he could make no official comment but indicated that the worker involved was being insured a fair deal.

NO COMMENT

Queried as to whether the committee would press for a further probe in the event the staff member were cleared, the agency official also refused to comment.

According to the report, Theodore E. Brown, a fair practice examiner assigned by the FEPC to St. Louis, is the person in difficulty. Brown is said to have been detained by the FBI because of an alleged irregularity on his draft classification card. He is said to have been taken to Fort Leavenworth, Kan., and held on \$1,000 bond.

Originally from New York City, Brown is reported to be registered with a local selective board there. He holds an honorable discharge from the army air force in which

he enlisted in 1941, according to friends of his here who expressed the opinion that if there is any mixup concerning his draft status it may lie between the army and the local board as in a number of similar cases wherein errors in the exchange of individuals' records have temporarily inconvenienced many other men.

SUSPICIOUS OF ACTION

A few persons here, obviously suspicious of anti-FEPC sentiment in the section of the country in which Brown has been working, are pointing to the leading part played by the FEPC examiner in the public hearings conducted by the committee in St. Louis a few months ago are hinting at the possibility that his present difficulty may well have been the results of an attempt to "frame" him, launched by persons violently opposed to the FEPC program.

5 MEN BEATEN FOR SPONSORING WELDING SCHOOL

Whites Of New Iberia
Want Negroes To Do
Only Farm Work

NEW IBERIA, La.—Armed deputies from the local sheriff's office, augmented by white civilians, formed what took on proportions of a small mob last Tuesday and forced five of this city's leading Negro citizens to flee to New Orleans, Monroe and Lake Charles, La., to escape bodily harm.

Those who were slugged and beaten were Dr. Louis H. Williams and Dr. I. A. Pearson, prominent medical men; Herman G. Faulk, public school teacher; Joseph Leo Hardy, civic leader and student in the New Iberia welding school, and Octave Lilly, insurance executive. Some of them were assaulted by members of the mob before making good their escape.

Investigations reveal that the citizens were members of a civic organization that was instrumental in securing a federal welding school over the objections of the Parish school board and Sheriff's office. Whites in this section insist that Negroes' vocational efforts should be confined to farm work.

Hardy had been warned by authorities in the sheriff's office to

cease writing letters to the FEPC. During the latter part of the last week he was arrested by four deputies who accused him of being an "organizer of the Negroes to overthrow the whites." He was beaten, forced to talk on a gravel road out of New Iberia while the men fired bullets at him. On reaching Lafayette, La., he received medical attention and changed his blood-stained clothing. Indignant citizens are demanding intervention by the Civil Liberties Section Department of Justice, Washington.

Dr. I. A. Pearson was stopped by three deputies who introduced them-

PTC Motorman Held For Striking Women

11-18-44
Held in \$1200 bail for further hearing by Magistrate Joseph H. Rainey, Tuesday, was George Allard, white, a PTC motorman, for allegedly striking two women on a Route 23 trolley on November 1.

The duo, Misses Gertrude Hollis and Mary Childs, who reside at 252 east Sharpnack street, say that they boarded the trolley at Mt. Pleasant and Germantown avenues. The car was marked Bethlehem Pike. After they had ridden for a few blocks, the female conductor informed them that the car would go only as far as Mermaid Lane and that they would have to get off.

When they asked for an extension transfer in order to board the next car and continue to their destination, the conductor became abusive and called to Allard to "come throw these."

He complied, grabbing the Hollis woman by the arm, twisting it and forcing her off the car. When her companion remonstrated with him, he is alleged to have slapped her.

Allard made no comment through his attorney, a company representative, and Magistrate Rainey set the bail at \$60 on each count of assault and battery brought by the women.

Told Husband Afro American It Was Theirs

Baltimore, Md.
Detroit Druggist's Wife
Under \$50,000 Bail

REWARD SHARED
10-21-44
**Suspect Was Maid
for Baby's Parents**
By Staff Correspondent
DETROIT—After pleading innocent to a charge of kidnapping 4-month-old Robert King, white,

Mrs. Eleanor Smith was transferred to the Wayne County Jail Saturday to await examination on the charges Wednesday. Mrs. Smith, demure and neatly attired, was unable to provide bond of \$50,000 set at her arraignment on Friday. She was accused of abducting the baby last September 30 from the home of Mr. and Mrs. Clarence E. King, where she had



G. D. McKee Claude Bender

been employed as a maid for one week under the name of Helen Rosman. *10-21-44*
The kidnapping case, which has been the center of interest for the past week, was broken on October 9 by two colored men—George D. McKee, 7768 Central Avenue, and Claude Bender, 6358 Thirtieth Street.

Two Share Reward
McKee saw the baby with Mrs. Smith in St. Stephens AME Church and immediately became suspicious. Bender had visited the Smith home, a short distance away, and he also became suspicious. Both called a Detroit daily.

For turning their information over to the paper, the men were given \$500 each last week, equal shares of the \$1,000 the paper had offered for the apprehension of the kidnapper. They will also share in the \$500 offered as a reward by the county. *10-21-44*
When arrested at her home, 6348 Stanford Avenue, Mrs. Smith so strongly denied the charge that police and King were almost convinced that the informant was wrong, but footprints and fingerprints later revealed the identity of the child.

Husband Duped
Prosecutor William H. Dowling said Friday that Mrs. Smith had made a complete confession, but this was later denied by the prisoner. She also denied making a statement to a woman reporter in which she is alleged to have admitted taking the child.

Eugene Smith, husband of the kidnapper, and the victim of the hoax perpetrated by his wife af-

ter she had told him she was, ex-



EUGENE SMITH

pecting a baby, told the prosecutor that he was suspicious of the baby and had begun an investigation of his own.

Married Second Time
Smith, a pharmacist, said his wife was born in Metropolis, Ill., thirty-three years ago, and that he first met her in 1936 in Jackson, Mich., where she was employed as a maid. They were married in Detroit in June, 1940.

In her statement to police, Mrs. Smith said she had previously been married to James Barnett, in Jackson, but divorced him in 1939. She said there were two children from this union but she doesn't know where the children are since the divorce. *10-21-44*

Reputation Good
Mrs. Smith, before accepting shares of the job with the King family, was a receptionist for a prominent doctor in Detroit. She had also worked for the Ray Music Company last winter, and both employers said she was a fine industrious worker. She was further reported to have been an excellent student at Lewis Business College where she had completed her work as a bookkeeper.

Smith recently purchased a drug store at 4247 Hastings Street, and is believed to be in good enough financial condition to have prevented his wife from accepting a maid's job.

Premeditation Suspected
It is the belief of police that the kidnapping was premeditated and the job taken to accomplish the end.

Mrs. Smith, after telling her husband that she was an expectant mother, went to visit her

mother last June. A few days later Smith said he received a card from his wife, telling him that she had given birth to a four-pound, seven-month baby in Wesley Memorial Hospital, Chicago. *10-21-44*

But when she came back home July 4, she did not bring the baby, Smith said, explaining that it was still in an incubator and that her cousin would bring it later.

Said Mother Paid Bill
Smith also said that his wife sent him a letter in which she said that the hospital bill was \$200 but that her mother was going to pay it. He said he had never met any of her family.

When Mrs. Smith brought the King baby home on the night of September 30, she told her husband that her cousin, enroute to Buffalo, had brought the baby to Detroit with her.

Becoming suspicious, Smith telephoned Wesley Memorial Hospital in Chicago and was told there was no record of his wife's giving birth to a baby there.

Confusion Created
Apprehension of the suspect was delayed by the inaccuracy of the description given by the baby's parents, who said their former maid was only 18.

Mrs. Smith is said to have covered the baby's body with a darkening substance similar to women's leg makeup and to have painted a "birthmark" on its forehead in addition to keeping it in poorly lighted parts of the house.

She ate a pint of ice-cream on Friday-- the first food taken since her arrest two days before.

Afro-American--10-21-44

Railway Claims \$200,000 Loss

Indict 136 Dining Car Waiters And Stewards On Theft Charges

By HERMAN HILL, Pacific Coast Bureau

LOS ANGELES—Representing the largest combined list of defendants in the history of Los Angeles' Federal court, 136 dining car employees of the Union Pacific Railway "Challenger" trains, were arrested last week end and indicted on charges of conspiracy to commit theft in interstate commerce. They are specifically accused of swindling the company of \$200,000 by withholding the racket was directed usually by the steward in charge with co-operation of waiters and cooks. The company estimated that it had been losing approximately \$18,000 a month on the Challenger. Company officials also pointed out that short portions of food were served to each customer as a means of keeping down suspicion at commiseries where food was issued.

Indictments were made by the Federal grand jury last Friday and bench warrants, fixing bonds at \$1,000 each, were issued by Federal Judge Ben Harrison.

SUSPECTS ARRESTED

FBI agents immediately began rounding up suspects in a series of simultaneous arrests from Omaha to Los Angeles. At Las Vegas, Nev., the entire crew of a diner was arrested and replaced by emergency personnel. Most of the men arrested here are residents of the city and were enjoying a layover. Twenty-three were reported arrested in Omaha, 11 in Salt Lake City and 11 in Cheyenne, Wyo.

Total arrests comprised 113 Negro waiters and 23 white stewards. Twenty-three chefs were named as co-conspirators, but were not indicted.

HEARING DUE SOON

Arraignment hearings will be held on or about December 4, at which time a trial date will be set. Most of those arrested were at liberty Saturday morning after posting bail. Walter L. Gordon, Jr., young attorney, has been retained by most of the accused men and the Union Pacific Cook and Waiters' Local 467 to serve as counsel.

Flenoid Cunningham, secretary-treasurer of the local, told newsmen that he felt the entire case was being used by the company in an effort to destroy the union.

FBI investigations were begun shortly after William Jeffers, president of the Union Pacific, complained that the company was not getting the revenue it should from the operation of its diners. Attention was focused particularly on the Challenger coach trains operating between Los Angeles and Omaha because the alleged losses appeared most outstanding in that area.

FBI MEN RIDE TRAINS

Special agents were placed on the cars in the guise of stewards and rode the trains for three months gathering evidence, it was reported.

The investigation is reported to have revealed that the waiters and stewards were averaging approximately \$350 on each round trip by the "no check" method. This is an old ruse in which checks are not turned in and in many instances are used over and over again.

According to the investigation,

Riot Averted In St. Louis, Carman Jailed

Motorman Points Gun
At Negro Passengers
Who Cause His Arrest

ST. LOUIS (ANP).—The alertness and wisdom of several Negro passengers, riding the Hodiament Street car here, prevented what might have been another serious race riot in this section last Saturday afternoon, when the motorman of the car, who was apparently drunk, brandished a pistol in the faces of three Negroes aboard his car.

When the passengers entered the car at Beaumont and Washington Avenues the white motorman, Will Wilson, started the car in such a high speed that almost threw them from their feet. This jerking and jolting operation of the car continued and when the three persons were again nearly thrown from their balance while waiting to make their exit at 16th Street, one of the three passengers was so aroused that he yelled out to the motorman, "Why don't you be more careful how you run this car?"

Points Revolver

Without warning the motorman was reported to have swung around and pointed a revolver at the passengers and gruffly shouted: "What about it?" He was reported to have cursed and otherwise abused them, in the presence of a car load of Negro and white passengers.

After leaving the car the passen-

Army Officials Make Hundreds Of Arrests For Material Thefts

PARIS, France — Army authorities made public this week some details of black market cases involving American soldiers.

Cigarettes and post exchange supplies as well as thousands of gallons of American gasoline intended for the Allied war machine at the front are being hijacked daily and fed into the French black market.

Officers said that the losses have not affected in any way the battle now raging in Belgium and Luxembourg. Major General Henry B. Saylor, chief ordnance officer in the European Theatre of Operations, reported that the thefts had no bearing on the current military situation.

In one detention barracks at Paris, 1,308 Americans were under arrest and more than half of these are charged with misappropriation of government property. In another detention cage are 171 enlisted men and three officers charged with selling a trainload of cigarettes, soap and other supplies to the black market.

They were members of two battalions operating a railroad. They will face a general court the first week of January, 1945.

Negro and white soldiers are involved in the black market cases and also many of them have received severe prison terms, some of them life imprisonment.

SOUTHERN SAY SO

Aggressive Justice Needed For Protection of Negroes

By M. S. STUART

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier.—The Editors.)

THIS piece will be about aggressive justice. About three weeks ago, a deputy sheriff from one of the constipated counties of Missouri came into Tennessee with a tyrannical white planter, and, without authority in the latter State, arrested a colored farm laborer on a charge of "larceny." Evidently relying upon the omnipotent authority of Tillman's court.

which some think is inherent in a white skin in the South, he even dared take his victim into the General Sessions court in Memphis, a nd, there, he struck a snag.

It developed that the white planter had not paid the laborer the wages promised for work and, on a false charge, was trying to use the Tennessee court as a means for returning the Negro to Missouri. After hearing the evidence, Judge Tillman declared:

"This looks like a case of extortion and peonage, and my court will not be used as a back jack by any one." In releasing the colored man, that judge invoked what I call aggressive justice.

INVISIBLE ANGLES OF EVIDENCE

Judge Tillman implemented an advanced interpretation of one of the highest functions of a court of law, and thereby helped the South. Far too long have the more powerful used some of the courts, especially the lower ones, as instruments by which to extort from, and abuse, the weak and to cloak their oppressive conduct in the extenuating garb of judicial approval and righteousness.

THE courageous judge, in accepting the word of the Negro laborer over that of the white planter, probably looked beyond the surface of the evidence submitted and sensed those little tell-tale whiffs of truth which trained jurists may often scent, even though not obvious in the actual words spoken. It is the detection and appraisal of that delicate aroma of fact—not always conspicuous on the surface of the cold, technical testimony—that the services of judges arise to their most lofty virtues.

Frequently, it is only by appropriate construction of those more or less invisible subtleties of circumstances that the courts may become, for the weak, the havens of protection they should be.

HOLLOW VICTORIES

It is easy to defeat the weak, but there is neither glory nor any element of greatness in such triumphs. Of course, the powerful can make out better cases in court than the weak and illiterate. They have more influence, are able to hire the best lawyers, have more experience in getting up and presenting evidence, and always win unless they run into aggressive



Mr. Stuart

A MORE DEPRESSING PICTURE

Just a few days after the case mentioned above, another matter of controversy between a colored laborer and a white guard, or guards, occurred in the same city. A picture in contrast, it may help to focus in clear perspective the big point this discussion hopes to clarify.

James Jackson, a Negro employee in the Firestone Rubber plant, was terribly beaten by one, maybe two, of the superintendents. The version of the white men directly involved was that Jackson came to work drunk and, when ordered to go home, threatened the superintendent with a knife. The version of many of the hundreds of Negro workers who walked out because of the treatment of Jackson, was that he came to work a few minutes late, and the financial penalty being the same for one minute of tardiness as for 15, he insisted on waiting the limit, but the guard ordered him to start work at once and commenced to beat him when he refused. Some of these employees say, further, that Jackson was brutally beaten even after he had been handcuffed.

WHATEVER the truth on that point of dispute may be, according to the newspaper, a group of the more intelligent white employees, in a signed statement, said: "We want it clearly understood that we resent the manner in which the James Jackson case was handled by supervision in Department 12. We are especially displeased with the brutal beating of this man after he had been disarmed and subdued."

Now, here is the point of general significance: Nine powerful white officials of Firestone testified against Jackson. He was fined a total of \$78 on charges not including drunkenness, but including disturbance of the peace. Nothing was done about the conduct of the guard, or guards, who brutalized Jackson.

In the Jackson case, the powerful only won. In Judge Tillman's court, the whole South won.

Free Two Cops Defender—Chicago In Beating Of Negro Soldier

12-30-44

FORT BENNING, Ga.—(ANP)—Two white police officers were exonerated last week for the brutal beating of Cpl. Clarence Stephens, 18th company, 3rd battalion, reception center here.

against an Italian service unit at Fort Lawson near here, Aug. 14 last. Three of the convicted men were charged with the murder of a former Italian prisoner. The court-martial's verdict is subject to review by the Judge Advocate General's Department. No death penalty may be carried out without the approval of the President.

Convict 28 N. Y. Negro Soldiers

SEATTLE, Dec. 18.—An Army court-martial yesterday announced conviction of 28 and acquittal of 13 Negro soldiers charged with rioting.

The two police officers belonged to walk with the arresting officers, Slay and Martin, said they were struck several times on the head, and their exonerated after an investigation into the sentencing of Cpl. Stevens to 40 days for disorderly conduct when the soldier Slay's arms and kicked him in the hood of Columbus after a white attempt to jump from the car. Further testimony by Stephens "broke not given to the press." He was given an opportunity to make a complete statement of his version of the arrest," said Brig. Gen. William H. Hobson, Fort Benning command officer. No effort was made to recapture the building, eventually recaptured.

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DINING CAR SCANDAL

Courier-Pittsburgh, Pa.
By JOSEPH D. BIBB
12-9-44

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier.—The Editors.)

SWIFTLY following the arrest of 132 dining car waiters and stewards of the Union Pacific, comes the cry from the AFL Waiters' Union that the railroad is trying to break up the association. Agents of the Federal Bureau of Investigation assert that the Union Pacific has been robbed of more than two hundred thousand dollars a year, and that the "boys" have been filching over one hundred and fifty dollars a trip. This correspondent has first-hand knowledge of a case where there was stealing going on in a dining car. The waiters served the meals and then presented phony bills made up on telegram blanks to the guests, when the cooks and waiters objected to the steward grabbing 50 per cent of the loot. "Cap," the steward, explained to the "boys," "You see fellows, I am under bond with the railroad and I must get 50 per cent."



Mr. Bibb

While these unsavory indictments are being pressed the general public has been angrily complaining about the poor quality of food in the diners, the lack of courtesy and the general all-around inefficiency in the service. Before the war, among the most cherished features of the crack trains darting over the country, was the super quality of the food and the courtesy and speed of the service. Little or no concern had been given to the tribulations of the dining car crews. Only in recent years have the union organizers been able to make any headway. It is not at all surprising that theft charges are now being preferred. The wonder is that the waiters, cooks and stewards have not been checked and double checked before. In yesteryears, common sense should have piqued the curiosity of the railroad officials as to just how the boys were getting along.

WAITERS UNDER-PAID
Colored men have had an almost complete monopoly on the jobs of waiting on the traveling public, and right well they have filled their jobs. It pains us to recall that the majority of railroad men have not been penurious, but to the contrary have been a bit profligate in spending their meagre salaries and hard earned tips on both ends of the road. Here and there, too, there has been some stealing done from the Scrooge-like railroad barons, and while we find no justification for flagrant pilfering, nevertheless, it is quite understandable why the dining car crews might yield to temptation.

MAID GIVEN 22-44 Years for Thefts
Mrs. Catherine Scott, 33, of N. Jessup Street near Stiles, who admitted having stolen \$10,000 from homes in which she had worked during the past two years, was sentenced to 22-to-44 years' imprisonment by Judge Edwin O. Lewis, December 13.

The judge, who refused to consider her offer "to work and pay everybody back," stating that he could have imposed the maximum sentence of 115 years on the indictments, added that he handed down the harsh sentence as "an example to others."

Detectives said that they believe Mrs. Scott, who collapsed upon hearing the sentence, had committed thefts other than those

Arrest of Waiters
For Stealing Presents
Some Important Issues

which she had admitted and that she, like other maids similarly charged, had lost count of the homes in which she had worked.

ONCE upon a time a crew of waiters were served "fish-head stew" for dinner upon the express order of a mean, Southern steward, and they had to either eat that or steal some decent food. Sleeping quarters provided for the waiters and cooks were abominable and almost unbearable, the hours were back-breaking and when the traveling public was stingy the faces of the waiters were not light-crack trains darting over the country, was the super quality of the food and the courtesy and speed of the service. Little or no concern had been given to the tribulations of the dining car crews. Only in recent years have the union organizers been able to make any headway. It is not at all surprising that theft charges are now being preferred. The wonder is that the waiters, cooks and stewards have not been checked and double checked before. In yesteryears, common sense should have piqued the curiosity of the railroad officials as to just how the boys were getting along.

MANY PROBLEMS TO BE SOLVED
The railroads and Pullman cars have given employment to colored people for a long time. The Pullman porters used to be almost "inventoried" with the cars. Randolph and his union brought about some changes, while Rienzi Lemus did a wonderful job in awakening the waiters. There are many problems of employer and employee relationship just the same that must be solved. Stealing, spending, wasting and discourtesy will not help the cause of the public servant, but publicity will. The scandals on the dining cars may prove a blessing in disguise.

MAID GIVEN 22-44 Years for Thefts
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Acquit 2 Policemen Who Brutally Beat Ft. Benning Soldier Officers Claim Youth Had Resisted Arrest

FORT BENNING, Ga. — (ANP) — Two white police officers were exonerated last week for the brutal beating of Cpl. Clarence Stephens, 18th company, 3rd battalion, reception center here. The two police officers belonged to the Columbus, Ga., police force and their exoneration followed an investigation into the entending of Cpl. Stephens to 40 days for disorderly conduct when the soldier was arrested in a white neighborhood of Columbus after a white woman had reported she had been chased two blocks

Cpl. Stephens was walking with a colored girl when he was arrested, the police testified, but the girl denied knowing him and stated he had stopped and asked permission to walk with her. The arresting officers, Slay and Martin, said they put Stephens in a police car and attempted to take him to the police station when he "grabbed both of Slay's arms and kicked him in the stomach and chest with his feet, attempting to jump from the car."

Further testimony by police charged that Stephens "broke away from the police and started to run" when they arrived at police headquarters, "whereupon other members of the police joined in the chase in the street and around the building, eventually recapturing him." In the melee, Stephens was struck several times on the head, police officers testified. They denied using any more force on Stephens

than was "necessary." Cpl. Stephens, who served 30 days of his 40-day sentence was present at hearing before the city commission but his statements were not given to the press. He "was given an opportunity to make a complete statement for his version of the arrest," said Brig. Gen. William H. Hobson, Fort Benning commanding officer. No effort was made to charge Cpl. Stephens with attempted rape.

9 Negro Soldiers Receive Life Sentences Of Flimsy Evidence
THATCHAM, England (PPNS) — Swift justice based on vague and circumstantial evidence dealt life terms for murder to nine American Negro soldiers, who were accused of participating in an affray

in which two white soldiers were killed and one Englishman. One other Negro soldier was sentenced to 10 years at hard labor for being AWOL. The fact that Negroes in former instances have been sentenced to death for offenses of a less serious nature is in itself indicative of the flimsy evidence submitted for the prosecution. Names of the defendants have not been learned by this newspaper, but it is expected that a rehearing will be requested by sources who are in sympathy with the plight of the condemned men.

Successor To Gertie Held In \$10,000 Bail
For you followers of the famous "Thirty-Minute Gertie" we have news. The gal is not dead. Though the original may be serving a long prison term, (see other story on page 3), a new and equally daring housemaid has come to take her place.

Mrs. Catherine Scott, 34, is being held under \$10,000 bail for a further hearing Saturday after being accused of robbing 50 odd employers in the last 14 months. At the hearing, which Magistrate Nathan Beifel set, she will be questioned by other interested persons, including Secret Service men, who believe her guilty of other crimes. When Magistrate Beifel was told that Mrs. Scott's crimes exceeded the more famous Gertie's he said: "Then I will fix high bail—and you keep her away from the windows." Three former employers of Mrs. Scott have already accused her of taking \$295 in cash, three rings valued at more than \$1,500 and other

La Terror Victim Takes Case Before Justice Dept.
Afro American — Baltimore, Md.

Complete affidavits in the case were turned over to the Department in May, with Mr. Hardy placing himself at the disposal of FBI agents for such purposes as they might deem necessary. Others beaten and forced to leave included three physicians, a dentist and an insurance salesman. Only recently has a doctor

were beaten and driven from their homes there on May 16, conferred here twice with Victor W. Rotnem, chief of the Civil Rights Section of the Department of Justice on October 5. Declaring that other complainants are rapidly leaving for other sections of the country, both Mr. Hardy and the local NAACP officials who accompanied him urged the Department to take immediate action against the known participants in the case. The attacks followed the set

15-1944

Fulton Crimes in 1943 Show Marked Decrease

January 9

Atlanta, Ga. Journal

All Major Offenses Except Lottery Fall Off; Juvenile Delinquency Gains

By PRESTON GRADY

A decrease in crimes in all major classes in which defendants are booked at Fulton Tower, except lottery, is noted in the annual report of George Mathieson, chief of the Fulton County Police, and J. D. Ragsdale, captain in charge of the identification bureau.

The trend has been consistently downward during the last four years, the survey indicates.

Even lottery cases in 1943 were fewer than in 1940, when 380 offenses were listed. Offenses of Negro men each year are more than the combined total of Negro women and whites of both sexes. In 1941 there were 287 lottery cases, in 1942 there were 276, and in 1943, 289.

Abandonment cases declined from 249 in 1942 to 194 in 1943, assault and battery from 260 in 1942 to 254 in 1943; burglary from 339 in 1942 to 219 in 1943; drunk from 597 in 1942 to 580 in 1943; larceny of auto from 195 in 1942 to 143 in 1943; murder from 64 in 1942 to 48 in 1943; operating automobile indicated from 283 in 1942 to 232 in 1943, and violating Georgia Liquor Control Act from 503 in 1942 to 259 in 1943. The most spectacular decrease in a particular offense since 1940 was in the state liquor law violations, which numbered 1,164 in 1940.

Fingerprint Records

The Identification Bureau filed 32,732 sets of fingerprints last year.

Of the total sets of prints 6,208 were for criminal offenses, including those of defendants from East Point, Hapeville, College Park and Marietta.

The major work done during the year by the fingerprint division was in applicant identification in co-operation with the Federal Government, Civilian Defense and the Plant Protection Division, Fourth Service Command.

Applicant cards filed totaled 22,090—a decline since 1942, because the fingerprints of personnel in defense plants was done mostly in 1942. Complete records on each individual were provided company managements.

6,939 Occupied Tower

Through Fulton Tower passed 6,939 persons last year, of which 5,196 were local prisoners, 383 federal prisoners and 123 foreign

prisoners. Some persons who missed being fingerprinted made bond at the Courthouse and did not get to the jail.

Of five unidentified dead persons fingerprinted during the year, three were identified solely by fingerprints. Pictures and other records were made at the scenes of 366 burglaries.

County police made 1,387 arrests during the year. Forty-nine subjects were sent to the Juvenile Home—three times the number in 1940.

The Bureau sent 5,140 fingerprint cards and subject pictures to the Georgia Bureau of Identification, with 4,707 dispositions of cases. Duplicates went to the Federal Bureau of Investigation.

Case histories were maintained on each individual subject. Criminal records in 36,616 cases were sent to the courts and other agencies.

New Attack By Negro On Magic City Woman Spurs Intensive Hunt

A second attack by a Negro on Birmingham women which occurred Sunday spurred police into a city-wide search Monday.

The first attack occurred early Saturday morning and the second after the victim had returned from church Sunday morning. Both victims lived on the Southside.

The victim of the first attack said the Negro who assaulted her weighed about 200 pounds, was about five feet, 10 inches in height, wore overalls with a blue checkered shirt and leather jacket. One tooth in his mouth was out on the left side and his face was pock-marked. He was wearing a gold wrist watch with a chain band.

The other Negro weighed between 150 and 160 pounds, had high cheek bones, wore a yellow gold wrist watch with a leather band.

The victim of the Saturday morning attack said the Negro got into her house on the pretense of delivering coal. The other Negro had either hidden in the house or came in after the victim returned from church, detectives believe. City Detectives H. W. Weir and Grover Gilliland are investigating the latest assault.

Illegal Practice Laid To Negro Attorney

MONTGOMERY, Ala.—Trial on charges that he violated an Alabama law making it illegal for a Negro lawyer to represent persons who have not employed him was faced Tuesday by Arthur H. Madison, Negro lawyer of New York, arrested Monday by Sheriff A. G. Mosley's deputies on warrants sworn out by Circuit Solicitor Temple Seibels.

Madison, released on bonds aggregating \$2,500-\$500 for each of the five charges—was charged with filing appeals in the Montgomery Circuit Court on behalf of several Negroes who had been denied the right to register as voters in Montgomery County.

The attorney, court records disclose, filed appeals for eight Negroes, and later five of the eight notified the Circuit Court by affidavit they had not authorized Madison to act for them.

The law firm of Hill, Hill, Whiting and Rives has been retained by the Montgomery County Board of Registrars to prosecute Madison for his alleged violation of the law.

Sen. Lister Hill, it was disclosed here Monday, was in Montgomery at the time Madison's activities came to light and the senator is said to have requested his kinsmen who are members of the law firm to act.

If Madison is convicted, he will be ineligible under Alabama law to practice law in Alabama and, in addition, will face minimum fines of \$500 on each of the five charges.

Two Beaten By Trolley Motorman

Because he asked for the return of his car fare token when a Motorman on the River Car line in this city announced that "all rs must get off this car" after the waster coming to a stop, George Jeffries, 27, of Scott's Crossing is today suffering from severe head wounds and a possible concussion of the brain sustained when the motorman attacked him, beating him brutally with a blackjack, and a blunt iron instrument.

The incident is said to have occurred last Friday night and tomorrow, Thursday, beginning at 2:30 o'clock, the case will be heard before Recorder A. W. Calloway in Recorder's Court.

Also to be heard in court will be the case of an Atlantan named Pink Hammond, who was likewise

beaten by the motorman. He also suffered severe head wounds which required hospital treatment. He was also beaten about the face, it was stated, by the motorman.

Arrested and taken to the hospital while in an unconscious state, Jeffries was treated and later taken to jail. He, like Hammond were ordered in court last Thursday, with both appearing, but the case was postponed to Thursday of this week. 1-13-44

Representing Jeffries is Attorney A. T. Walden, and counsel for Hammond is the law firm of Nealy, Marshall, and Greene, attorneys for the railroad for which Hammond works.

It was stated that Jeffries is an employee of the White Provision Company here.

Police Look For Negro Charged With Assault

Police Saturday began a search for a Negro man on a charge of criminal assault following a complaint from a white woman residing in the Southside area, made in the morning. 2-13-44

According to the police records, the woman said the man gained entrance to her home on pretense of being a coal delivery man, dragged her to a bedroom and threatened her with a knife. Her cries and those of an infant, the police records state, caused her assailant to flee.

FBI To Probe Death Threats By Missouri Farmers

POPLAR BLUFF, Mo. — (ANP) — New angles on the racial outburst in this Ozark vicinity this week included a threat against the lives of Sheriff M. L. Hogg and Prosecuting Atty. Charles T. Bloodworth Sr.; a joint letter of praise to Hogg and Bloodworth from the AFL, CIO and independent unions of St. Louis in regard to the stand they took to protect the rights of Negroes, and a warning to a colored coal truck driver against making coal deliveries in Ash Hill township, the immediate locality of the racial unrest.

Following the indictment of a council of Greater St. Louis, representing 65,000 workers of the CIO, AFL and independent unions, Hogg last week CIO, AFL and independent unions, hailed by letter the noble stand of Sheriff Hogg and Prosecuting Atty. Bloodworth in protecting the rights of Negroes. "Not only does discrimination against Negroes involved deprive them of their democratic rights," the letter said, "but it also hurts our production of foodstuffs and the lives of members of our war effort." 1-25-44

While the intensity of the anti-Negro fever has resulted in Lois (Jack) Cooper removing the inter-racial labor victory

Will Nelson, a colored em-ployee of a Poplar Bluff coal dealer, was warned against making coal deliveries in the Ash Hill township by merchants at Fisk, he said. Nelson was advised that in view of the current unrest in that community against the presence of Negroes, it would be better not to make further deliveries. The merchants stated that they had no personal objection of his presence. Nelson said.

THREATS TO FBI

Meantime, the death threats sent to Hogg and Bloodworth have been turned over to postal

City's Gangs Fight With Knives

By SOPHIE SMOLAR

For the past year, Youth Builders, Inc., has been studying the relationships between Negro and white students in New York Public Schools. But Sabra Holbrook, executive director of the organization, found that the problem went far beyond anti-Negro feeling—it was, she said, “a manifestation of undemocratic thinking and fears in children.”

Mrs. Holbrook found that 11 New York areas are hotbeds of anti-minority feelings: 1-2-44

■ The Washington Heights area between 145th St. and 172d St., where anti-Semitism has been manifested by Irish, Italian, and Spanish children as well as Negroes.

■ Brownsville, Brooklyn, where Negro and white gangs face each other across streets but have not come to blows.

■ Mousetown, between 125th St. and 133rd St. from St. Nicholas Terrace to Broadway, where Negro and white gangs are in conflict.

■ Around 129th St. and Amsterdam Ave. where Negro and white gangs as well as Puerto Rican and Spanish gangs have made crude weapons resembling blackjacks.

■ Prospect and Union Aves., in the Bronx, where Negro and white gangs are becoming more active as anti-Semitism wanes because of Jewish families moving away from the neighborhood.

■ The Claremont District of the Bronx, which is divided into street blocks of whites and Negroes. The whites, mostly Italians, refuse to use the Claremont Settlement House.

■ The Bedford-Stuyvesant section of Brooklyn, where anti-Semitism has been equally prominent long with anti-Negro feeling.

■ The Hunts Point area of the Bronx, where anti-Semitism has been the principal problem although Spanish and Negro elements moving into the neighborhood create new conflicts.

■ East Side Manhattan around 116th St., where Italian gangs fight both Spaniards and Jewish gangs and mixed white gangs fight Puerto Ricans and Negroes.

■ Third Ave. and 138th St., where fish knives are used by Negro and white gangs.

■ Between 105th and 108th Streets from Amsterdam to Columbus Ave., where Italian, Spanish, Puerto Rican and Negro gangs wage constant warfare. 1-2-44

Public Uninformed

Mrs. Holbrook said that adults

pass fighting youngsters in the streets without realizing that the children often use fish knives, hooked metal blades, and makeshift blackjacks.

In Washington Heights alone, the following white gangs were discovered: The Rainbows, the Skulls, the Red Devils, the Rangers, the Ramblers, the Dukes, the Palestine Boys, the Counts. The following Negro gangs were found: the Royal Commancies, the Barons, the Amsterdam Glencoes, the Robins, the Buccaneers, the Tanwoods, the Crusaders, the Arrows, the Brown Bombers.

The gangs composed of boys from 13 to 16 generally have a girl auxiliary, a junior gang (11 to 12) and a midget gang under 11. Each gang has a captain and other officers, democratically elected. Headquarters is on a given street corner, usually operating out of a candy store or basement. Each gang has its “territory” and will beat up any rival gang which stages an invasion.

Operators of stores and theaters know these gangs and will never allow members of two of them inside at the same time, if they can help it.

Spanish gangs have made crude weapons resembling blackjacks.

Originally, the gangs were formed by the children for self-protection, Mrs. Holbrook said. Most members are eager for adult help but don't know how or where to get it. In the gang hierarchy, certain groups have seniority and the respect of other gangs; sometimes, gangs get together and force other gangs to fight them.

In the Mousetown area last May, Mrs. Holbrook reports a battle in which three Negro gangs fought three white gangs. The fight was broken up by police, but not until eight boys had been hurt, two with broken ribs, and six with minor knife wounds.

Mrs. Holbrook records these measures to end the gang situations: 1-2-44

■ American history courses which include the history of all Americans—Negroes, Jews, Italians, etc.—not a course on Negro history which emphasizes minorities.

■ Educating children with facts—such as blood tests proving Negro and white blood is the same.

■ The sense of “oneness,” of close interdependence, of human relationships.

■ Giving children an opportunity to sit with authorities on subjects to get realistic interpretations as well as scientific information.

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NEGRO LAWYER

FACES JAIL IN

VOTING INQUIRY

4-11-44

MONTGOMERY, April 11. — The morning by H. G. Odom, night watchman at the Birmingham Casket Company, who told City Detectives Jim Norrell and Charles Pierce he fired in self defense.

The night watchman, the officers said, told them while making his rounds about 1:30 a.m. Sunday he noticed the Negro prowling about a residence nearby and saw him conceal himself when a white man left the residence.

When he approached the Negro to ascertain what he was doing in that neighborhood at such an hour, according to the night watchman, English advanced toward him with his hand in his pocket. The night watchman said he fired one time at the Negro, the bullet striking him in the abdomen.

Officers Mullinax and Allbritton, assisted by Police Sgt. L. W. Moore took into custody a Negro youth, Willie Kirk, 16, of 2325 1/2 Second Alley, South, early Sunday, in connection with what the officers said was a burglary attempt at L. Mazer & Sons, wholesale mercantile store, located at 2231 First Avenue, North.

The officers said they were checking the doors of the stores in that block when they found the loading chute, leading from the sidewalk into the store, open. They then saw the Negro in the store sacking up merchandise. The officers said they entered the store through the loading chute and surprised the Negro youth in the store. He had three dozen pairs of socks, shoes, pants and shirts in a sack, the officers said.

Coosa Negro Here For Safe-Keeping Advertiser Sheriff's Nephew May Die Of Gunshot Wound Montgomery, Ala.

Jesse Bradley, Coosa County negro, was lodged in Kilby prison for safe-keeping, Saturday night, after an altercation at Goodwater would also take part in defending in which he is accused of shooting and seriously wounding Elmer Donovan, a Coosa law enforcement officer. The affray occurred at 6 p.m. 5-14-44

Chief of Police F. C. Ogburn, of Goodwater, said Donovan was shot just under the heart by a .32 caliber automatic pistol while assisting the Chief in the arrest of another negro at the Goodwater negro school. Chief Ogburn said

serve them Madison could not be located.

Police Investigating Shooting Of Negro By Night Watchman

Police Monday were investigating the shooting of Leonard English, 33, Negro, of 2132 24th Avenue North, who was shot in the abdomen and critically wounded Sunday.

Police said many members of the House who were returning to their offices following adjournment, witnessed the affray 3-25-44

Ralph K. Roberts, head doorkeeper of the House, said Lawrence had reported to him Tuesday an account of his argument with Brown, and to prevent a possible recurrence, Roberts had transferred him to another post.

Brown, at one time, was racial relations adviser to the C.C.O. Thursday outside the Capitol building, Lawrence House. He said Brown returned on Wednesday and again got into an argument with him.

The doorkeeper said he followed Brown out of the Capitol a few minutes after the House adjournment, and accosted him in the Capitol later. He said Brown later found a shovel from somewhere week. Captain and attempted to strike him. In Police said the accused youth, stole the money to give to his mother who, he said, is ill in a Bessemer hospital.

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Bradley, who was scheduled for induction Monday, cursed the officers, and said they would all die before they left the school.

Chief Ogburn arrested the negro immediately after the shooting and placed him in the city jail. Much feeling was in evidence and he subsequently asked the State Highway Patrol to remove Bradley to Kilby for safe-keeping. Inspector Little went from Montgomery with members of his force and returned the afternoon of his arrest.

At midnight Donovan was in an Alexander City hospital with small hope entertained for his recovery. He is a nephew of Sheriff E. O. Mathews of Coosa.

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McClain, police say, told them he stole the money to give to his mother who, he said, is ill in a Bessemer hospital.

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Baby Slaughter Business Uncovered In New York

11-2-44
By GEORGIA SHUSET

LOCKPORT, N. Y., Nov. 1.—(U.P.)—Police searched an old garage building here tonight for additional victims of what was believed to be a baby slaughter business, uncovered when a new tenant found the bodies of six slain infants in dust-covered boxes and trunks.

As police tore up floor boards in the two-story frame building, detectives investigated the life of Louis Battiese, 58-year-old negro, who operated the garage until his death Oct. 17.

The first bodies were discovered by Leroy Glover, who had rented the building following Battiese's death, and who was preparing to reopen the automobile washing and storage business the negro operated for seven years.

Three of the bodies were found to be those of negroes, but determination of the race of the others was difficult and they were sent to State police laboratories at Albany, N. Y., for examination.

In Battiese's living quarters, on the second floor of the building, police found a "doctor book" with dog-eared pages, in the sections dealing with diseases of women. A three-foot club, with a knotted end, lay nearby.

Battiese, police said, was a "jovial, little fellow" who delighted in being "well-dressed." Divorced from his wife, he lived alone in the garage and seldom had visitors.

His daughter and son lived with his former wife, but it was the 17-year-old son who figured in the discovery of the garage's secret.

6 HIDDEN BODIES OF NEWLY BORN INFANTS FOUND

Lockport, N. Y., Oct. 31 (U.P.).—The bodies of three additional newly born babies were found by police today in a building originally used as a livery stable, making a total of six infants found since yesterday. Detective Sgt. Benjamin Furlong said one of the bodies was in a trunk and two others in a bushel basket.

Police began a search of the building yesterday after Leroy Glover, who had rented the building, found a body stuffed in an orange crate. Search led to two more yesterday, one in a cardboard box and a third jammed into a trunk.

All six infants apparently were Negroes, Furlong said, and appeared to have been dead from several months to a year or more.

Louis Battiese, 57, Negro, who died Oct. 17 in Lockport City hospital of a heart ailment, had operated an auto laundry in the building for about eight years, Furlong asserted.

Soldiers Convicted Of Fraud in Paris

PARIS—Christmas Day here saw high army officials reveal the amazing story of eleven Negro and three white soldiers who were convicted in recent court-martial trials of stealing U. S. government gasoline, cigarettes, smoking tobacco, guns, clothing, food rations, post exchange supplies, and selling them in the French black market. Privates Herman Coleman and Turner Harris both Negroes, and Private Morris L. Fredericks, white, went A.W.O.L., lived in

grand style in a Paris hotel while supporting themselves on profits from the black market sale of government gasoline. In October, Harris and Fredericks held up a Paris cafe and got \$42,000 worth of bonds, jewelry and cash. They were arrested the next night by military police, and the following night Coleman was picked up at another hotel. Harris and Fredericks were both sentenced to 30 years imprisonment and Coleman to ten.

BLACK MARKET

Another case involving three Negroes who moved into a Paris hotel with 11,000 packages of American cigarettes and set up their own black market, was brought to a close when Privates Herchel Maze jr. and Calvin Perry were sentenced to 15 years each. Their companion, Private Robert T. Williams, received a ten-year sentence. At the time of his arrest, Williams had 3,300 in French money in his possession. After the trial, however, the money was returned to him because the court had not proved that it was obtained illegally.

Private Homer B. Cardwell, white, was convicted of selling government property, impersonating a non-commissioned officer, and going A.W.O.L., and was sentenced to 25 years. Private Walter L. Gordon, also white, was sentenced to 25 years for desertion and selling government property, clothing and guns to French civilians.

Three French civilians and a Negro private, Raymond Maddox, were arrested together. Maddox was convicted of selling 600 gallons of gasoline to the black market and sentenced to 25 years.

Privates Robert S. Jackson, Elbert L. Hufendick, Elfrid King, Eddie Hackworth, and Edward Frazier, all Negroes, were convicted of similar crimes. Jackson got ten years for attempting to get gasoline under faked orders.

Hufendick got ten years for selling 225 gallons of gas to civilians. King went A.W.O.L. with a truckload of cigarettes and other supplies and was sentenced to life imprisonment. Hackworth, who impersonated a non-commissioned officer and attempted to get gasoline with faked tickets, was sentenced to five years; and Frazier got five years for selling 1,055 gallons of gasoline.

Stroke Fells NAACP Head After Beating

11-25-44
Worst-Beaten Victim
Of Louisiana Uprising
Was Injured By Sheriff

NEW IBERIA, La., (ANP)—The beatings administered to J. Leo Hardy, the worst beaten victim of white Fascist uprisings here last Spring, were reported last week to

by," Boykin explained, "and then they throw them into the pickup car."

BOYKIN'S ACCUSATION

The solicitor general also accused the lottery racketeers of employing the aged, decrepit and diseased to conduct the racket.

"These vicious operators will stop at nothing to keep the racket going," Boykin continued. "They will give a dollar or a doll to some little child because they know the law officials can do little to punish young children or sick, old people who are in the racket."

Boykin pointed out that children under 16 years of age have to be placed in the custody of the juvenile home.

"This proves that lottery operators are employing all means to avoid the detection of their rackets," he said. "It also emphasizes the corruptive practices of the operators."

8 NEGROES ARRESTED

Meanwhile eight Negroes were arrested on lottery charges by Fulton County Policemen A. M. Howle and George Carter, who found \$1,000 in lottery tickets concealed under a tin bucket in the rear of 54 Hilliard street.

The officers went to the Hilliard street address on a tip at 5 a. m. yesterday. They watched five Negro men and women slip lottery tickets under the bucket and arrested Sam Whitt when he came to the bucket to get the tickets, the police reported.

Others arrested and questioned by Lindley W. Camp, solicitor of the criminal court of Fulton county, are Ola Mae Farmer, who lives at the Hilliard street address; Mabel Ellis, Felix Brown, Alex Dorsey, Robert Mitchell Jr., Mamie Prince and Azilee Robertson.

RAIDING NURSERY?

Tots Hired In Bug Game. Boykin Says

Little children, six to 10 years of age, are being employed by the "big time" lottery operators in the racket, according to Solicitor General Boykin.

"In the investigation of the lottery racket we have discovered that the lottery operators are employing children—white and colored, six to 10 years old," Boykin said.

"The children are sent around to collect the bug tickets and work in pickup stations for the pickup men. The children have been found to conceal the tickets around playgrounds and in vacant lots until the pickup man comes

Lynching Under the Dome

AN EDITORIAL
Afro American - Baltimore, Md.

(SEE STORY ON PAGE ONE) 4-1-44

The shadow of the swastika hung heavy over the Capitol Wednesday when the Texas lynch spirit expressed itself physically in the brutal beating of Edgar G. Brown, president of the National Negro Council, at the hands of a strapping white doorkeeper.

Mr. Brown, a nationally known figure, a former New Deal agency adviser, and now a candidate for Congress on the Republican ticket in his native Chicago, was about his duties as a self-appointed lobbyist, trying to line up Congressional support to save the FEPC, when he incurred the wrath of the Texan, who is alleged to have expressed his contempt not only for Brown, but for his race and all that he represents.

Just a few months ago, A. Clayton Powell, Jr., a distinguished Harlem leader, and also a candidate for Congress, was threatened with a similar fate in the Congressional halls when a Dixie guard threatened to shoot him. All of which proves that if one's skin is black, he is not safe in America, even under the Capitol dome.

But we would make a serious mistake if we assumed that the mere disciplining of these offending lackies would in any way correct or compensate for these assaults. No, the cause is deeper than that. Being ignorant men, these parasites who hold their jobs by virtue of the patronage of Dixie Congressmen, are merely reflecting in physical form the more studied violence of their vicious, race-baiting and morally corrupt sponsors. Like Hitler's elite guards, these vassals convert into brute force the sadistic thoughts which their more intelligent leaders are afraid to carry out.

While Brown was being beaten, each blow was but an echo of the speech that Senator Theodore Bilbo, the Dixie Goebbels, was delivering to the Mississippi Legislature, urging it to create more repressive laws against its colored citizens. Even while our boys are fighting and dying on foreign shores to preserve a sham democracy, the Nazi pattern is taking shape at home.

Congressman May of Kentucky stages a "book-burning" orgy by suppressing the pamphlet "Races of Mankind," designed to teach men tolerance.

Rankin leads the fight to deprive millions of fighting men of their right of franchise.

Roger Babson drives a wedge between the races by propagandizing the lie that all colored people are lazy and shiftless, while all whites are thrifty and energetic; therefore superior.

Secretary Stimson indicts the group by declaring that our men are intellectually incompetent to become anything but laborers in the Army.

Bilbo would uproot thousands from their slum homes and relocate them on farms to be held in peonage.

And now the Gestapo appears on the Capitol grounds, clubbing, beating, trying to murder the few leaders who still have the courage to speak out.

It takes but little imagination to hear the hammers building the stockade, the smithies forging the chains.

Edgar G. Brown is a courageous, intelligent, zealous crusader for his people. He has made many enemies in both races because of his very impatience with both the intolerants among the whites and the compromisers among

his own group. Many question his methods, but few his sincerity. It is natural, then, that he would make some enemies. Every man who espouses unpopular causes makes enemies, but as he lies in Casualty Hospital, his head battered, his eyes swollen, his teeth gone, every person with a dark skin is his friend today, because there but for the grace of God lies he.—RALPH MATTHEWS.

there were 100 homicides by Negroes, compared with 10 by whites; in 1942, 72 to 8; last year 46 to 12, and in the six months of 1944, 23 to 10.

"Carried to its logical conclusion," the World says, "this problem is traceable to laxity in the enforcement of law and the lack of certainty of punishment. Certain Negro bullies and bad men have committed wanton crimes, sometimes against wholly innocent victims, then boasted about getting a certain lawyer and getting out. Until there is certainty of punishment, the police cannot hope to make any material progress in reducing crime and thus making safe the life and limb of other Negro citizens."

In several Southern cities in recent years Negroes have taken the lead in urging sterner action by the courts in handling crimes committed by members of their race, and salutary action has followed. The plea of the World, spoken in behalf of Atlanta's best colored citizenry, should receive serious and co-operative response from our police and our courts. 7-8-44

"Dives," of which the World says there are as many as there are Negro slum areas, should be stamped out, and murderers and other malefactors should be given the punishment their crimes merit. The inclination to regard violence among Negroes as of little importance should be corrected and justice put on a basis of equality to all.

Police Cracking Down On Negro Crime Here

Constitution—Atlanta, Ga.
7-9-44

A request will be filed before the next meeting of city council's police committee to revoke the business license of the Wine Shop, at 255 Auburn avenue, N. E., in the step-up of a police drive to reduce murders and other crimes gest police worry. Bootleggers slayings of Negroes have consti-have developed a drink called tuted 90 per cent of the murders "solox," a mixture of denatured here for the last 10 years, Detec-alcohol, cheap wine and paint re-tive Superintendent J. A. McKibben-mover that police fear more than ben said. In 1940, there were 100any drug. Negro murders to 10 white; in Just what chemicals go into "so-1941, 107 Negroes to nineolox" in addition to its alcohol are white; in 1942, 76 Negro to eightstill a mystery, although Police white; in 1943, 46 Negro to 12Chief M. A. Hornsby has sent two white; in six months of 1944, 23samples to the state chemist for Negro to 10 white. analysis. Reports always come

WINE SHOP RECORDS 7-9-44 back: "Alcoholic content 20 per Two Negro murders alreadycent" or "alcoholic content 18 per have been committed in fightcent." 7-9-44 starting in the Wine Shop this. Actually the alcoholic content year, McKibben said. He addedof the drink is less than that of cases were made against the estab-low wines. Some other ingredient lishment in February by Patrol.has an effect similar to marijuana. men W. D. Nash and A. C. BryantA person drunk on "solox" is for selling beer to minors. Thetreacherous, police records show. defendant paid a \$12 city fine. They have full use of their body,

Last week, Officer Nash and De-almost superhuman strength and tectives J. M. Pack and J. W. El-the following day they have no lington again made cases againstknoweldge of what transpired the Wine Shop for selling beerduring the period of intoxication. and wine to minors, locking up. Several wine and beer parlors, 25 customers in a single haul,both white and black, have been Three of the customers—one 14,closed for similar violations, Mc-one 15, and one 16—signed writ-Kibben said. He warned that re-ten statements that they boughtpeated efforts to revoke licenses wine regularly at 255 Auburnof such other establishments will be made when repeated violations are reported.

DREAD OF "SOLOX"

Sales of beer and wine even to minors—even though it is a vio-tion of the law—is not the big-

DRIVER BEATS UP Pregnant Woman

4-1-44

A voice called The Weekly Re-view office early Friday and ask-eded if we wanted a good story. We were instructed to go to 1733 Center Way South, where the vic-tim a woman pregnant s e v e n months is reported to live. She is the sister of two brothers in the army.

The incident happened down-town early this morning. Its just another reason why there is not cuga segregation in the opera-tion of street cars and buses. Se-regation should be carried to the limit—white drivers for white and Negro drivers for Negroes. 4-1-44 All those who believe in forced segregation should be for that to the nth degree — whites serving whites and blacks serving blacks. There is no justification for the beating of a woman by a bus driver. There are other ways to adjust differences.

Mobile Jails Four In Negro Beatings

4-1-44

Quartet Of Whites Charged With Assault To Murder

MOBILE, ALA., Aug. 11.—(AP)—Sheriff W. H. Holcombe today announced the arrest of four white men on charges of assault with intent to murder on negroes here recently.

"Our investigation," Holcombe declared, "shows these negroes were grossly mistreated." The sheriff said that information reaching his office was to the effect that the four men, riding in an automobile, stopped negroes at random and proceeded to attack them. One of the victims, he said, was clubbed. "Such a thing as this will not be tolerated in Mobile—despite statements to the contrary by newspapers in New York and Washington, declared the law enforcement officer. 8-12-44 Holcombe was referring to identical editorials published in Washington and New York newspapers in regard to the recent Philadelphia traction strike. These editorials described the trouble there as a "rather frightening flare of race prejudice that might be expected of Mobile, A'a., but not of Philadelphia."

The four men, each facing two charges of assault with intent to murder, were docketed as: J. O. Privett, 32; J. E. Strickland, 17; J. W. Denley, 17; and Bill Dolbear, 20.

Two Negroes Arrested In Detroit Robberies

Birmingham, Ala., News

Arrest of two Negroes in Fairfield wanted by Detroit, Mich., police for armed robbery and assault of a 23-year-old white woman was announced Tuesday by Fairfield Police Chief E. L. Allman, who said Detroit officers left Monday night from Fairfield to return the Negroes there.

The Negroes, J. B. Moore, 20, of 6145 Avenue G, and Mose Lee Guice, 21, of 5820 Avenue D, Fairfield, were taken into custody by Fairfield Officers V. T. Ellison and B. F. Eady in connection with theft of nearly \$500 worth of clothing from a Detroit rooming house. While questioning the Negroes, the two Fairfield officers learned they were wanted in the Michigan city for robbing a white woman of \$15 and assaulting her on a dark street after threatening her with a knife. The Detroit police in a long-distance telephone conversation verified the assault and robbery charge. The two Detroit officers arrived in Fairfield Monday and left with the Negroes Monday night after the prisoners agreed to waive extradition. 8-8-44

During their investigation Officers Ellison and Eady recovered practically all of the stolen clothing which had been sold to individuals over a large section of the

Fairfield district, Chief Allman said.

Man Accused In Cutting Held To Jury

8-4-44

Accused of striking a street-car motorman with a switch iron and then cutting him on the head, Maurice Weatherford, 48, Negro, of 223 S. 15th, yesterday was held to the grand jury September 27 by Judge Pro Tem S. M. Russell.

The motorman, Henry Poynter, 24, of 634 W. Market, said the trouble occurred after Weatherford had been asked to leave an 18th Street car at Jefferson June 17 following an argument over the use of two transfers.

Poynter said Weatherford grabbed the switch iron from the floor and threw it at him as he got off the car. Poynter said he suffered a head cut which required eighteen stitches to close as the two grappled outside the car.

Weatherford did not testify.

Lottery Charges Bring Negroes \$20 and \$10 Fines

8-12-44

Two Negroes charged with lottery writing drew fines in Police Court Wednesday and also a warning from Judge Pro-tem S. M. Russell that another court appearance might result in grand jury action.

Melvin Johnston, 39, of rear 813 S. 2d, was fined \$20, the largest lottery penalty in years, after Patrolman Harry Fife told the court he found slips and books in a room at this address.

No testimony was heard in the case of Algie Dooley, 40, of 523 S. 15th, who was given a \$10 fine, a raise of \$5 over the usual cost.

NEGRO BOY ACCUSED OF SEVEN ROBBERIES

8-18-44

A 16-year-old Negro boy arrested yesterday by Fairfield police on a disorderly charge has confessed to at least seven robberies in the vicinity, Police Chief E. L. Allman stated today.

The boy was identified as Edward Green, 528 37th-st, Fairfield.

After being arrested for disorderly conduct, a search of Green at the jail revealed that he had on his person jewelry valued at \$300; a pistol, a piggy bank containing \$5 and several bunches of keys, reported by Fairfield residents as stolen.

NEGRO SLUGS, ROBS BESSEMER OIL MAN

8-18-44

Bessemer Police Officers A. N. Scrimsher and Will Anderson are investigating the \$225 robbery of Kyle Staggs, operator of a Bessemer service station last night.

Staggs told police that a Negro entered the station and asked for some kerosene. While Mr. Staggs was drawing the oil, he was struck on the head several times with the butt of a pistol.

The Negro took a billfold from Staggs' pocket and fled. The victim was given first aid treatment for head injuries, which were termed not serious.

Two Bound Oyer In Theft of \$118

8-1-44

Two youths accused of grand larceny in connection with the theft of \$118 and gasoline ration stamps from the Stanley Maas Auto Service, 301 E. Broadway, were held to the grand jury for August 30 in Police Court yesterday. Bond was set at \$1,200.

The pair, Horace King, 19, of 3424 Dumesnil, and Seabron Wade, 18, of 818 York, both Negroes, were charged with splitting the cash between them and attempting to sell the stamps.

FAIRFIELD NEGROES FACE ROBBERY COUNT

8-4-44

Two Negroes arrested recently on charges of having stolen clothing in their possession, were in the Fairfield Jail today awaiting transfer to Detroit, where the pair are wanted for armed robbery and assault on a white woman, according to Police Chief E. L. Allman.

The Negroes were identified as J. B. Moore, 20, 6145 Avenue G, Fairfield and Mose Lee Guice, 21, 2820 Avenue D, Fairfield, by Officers Thomas Ellison and Bill Eady, who made the arrest.

Detroit authorities arrived in Fairfield yesterday to aid in the investigation.

Rob Navy Captain's Wife of Auto, Clothing, Dog

8-18-44

Mrs. Mercedes McCambridge, wife of a naval captain, who was driving from Madison, Wis., to her home in Bethesda, Md., was robbed of her automobile Tuesday night by three Negroes who halted her at 56th st. and Outer dr., she reported to police. Then with the car, she said, were three suitcases of clothing and two uniforms belonging to her husband, Capt. Louis McCambridge, \$150 in traveler's checks, and her

Hotel Fire Jury Finds Negro Guilty

8-4-44

SAN FRANCISCO, Aug. 4.—George Holman, 47, a Negro cafe proprietor, was found guilty last night on 22 counts of murder in the first degree for setting the fire which destroyed the New Amsterdam Hotel, March 28. Twenty-two persons, many of them war workers, lost their lives in the blaze.

Boy Caught Draining Gas

8-18-44

County highway police from the Homewood station arrested John Jones, 58, Negro, a janitor at the camp, when deputies learned that he had threatened to shoot Peterson unless the latter left camp. 8-18-44

NEGRO ATTORNEY WILL FACE TRIAL

Birmingham Age-Herald
Birmingham, Ala.

MONTGOMERY, Ala., April 10—

A New York Negro lawyer, who recently attempted to force the registration of certain Negroes in Montgomery County by court action, Monday faced trial here on charges of violating an Alabama law making it illegal for an attorney to act on behalf of a person who has not employed him.

The Negro attorney's name was given as Arthur H. Madison, who was taken into custody here by deputies of Sheriff G. A. Mosley on warrants issued by Solicitor W. T. Seibels. He was locked up in the county jail and later released under bonds aggregating \$2,500—\$500 on each of the charges. 4-11-44

Madison several weeks ago had brought appeals in Montgomery Circuit Court on behalf of several Negroes who had been refused registration as voters by the Montgomery Board of Registrars. The warrants charge the Negro lawyer specifically with bringing the appeals for five Negroes who had not retained him as attorney.

Records here show that of the eight Negroes, on whose behalf the first batch of appeals were filed, five came into court and made affidavits they had not employed or authorized Madison to represent them.

To combat the Negro attorney's attempt to force registration of members of his race, the Montgomery law firm of Hill, Hill, Whiting & Rives voluntarily is representing the board of registrars. A representative of the law firm, who said the attorneys had been invited to act by the board, pointed out that Sen. Lister Hill was in Montgomery when Madison's activities first attracted notice and that the senator had requested his kinsmen in the firm to act for the registrars board. 4-11-44

The 50-year-old Alabama statute under which Madison was arrested (Code of 1940, Title 46, Section 55), reads:

"Any attorney appearing for a person without being employed must, on conviction, be fined not less than \$500, and shall be incompetent to practice in any court in this state."

It was pointed out that under the statute, Madison would be barred from practicing law in Alabama, if convicted of the charges. It also was pointed out that the statute fixes a minimum, rather than maximum, fine of \$500 for conviction of a person violating it and that if Madison were convicted, he would face minimum fines aggregating \$2,500.

Other appeals brought by Madison regarding registration of Montgomery Negroes are set for hearing in Circuit Court April 19.

Assistant Abyssinian Pastor Beaten in Times Square;

Rev. Ben Richardson Mysteriously Attacked

Peoples Voice - New York, N.Y.
1-8-44

Under cover of "New Year's spirit," Reverend Ben Richardson, assistant pastor of Abyssinia Baptist Church, was attacked by an unknown assailant in front of the Paramount Theater on New Year's Eve, and is now in Bellevue Hospital awaiting result of X-Rays that will tell how seriously he is injured. "Chappie," as Reverend Richardson is affectionately known to thousands, never knew what hit him. When he was interviewed in his room at Bellevue, "Chappie" seemed bewildered, confused, and unable to believe that the thing had actually happened to him.

The story of what did happen was pieced together from several sources. Early in the evening the young minister had officiated at the marriage of a family friend. Members of the group had accompanied Reverend Richardson to Abyssinian Church where he preached a New Year message. He wanted to get a glimpse of the festivities around the Times Square section and accompanied by a friend the two boarded an 8th avenue subway. Because he was expected back uptown at a New Year's eve party, "Chappie" planned only to walk for a few blocks around Times Square and then return.

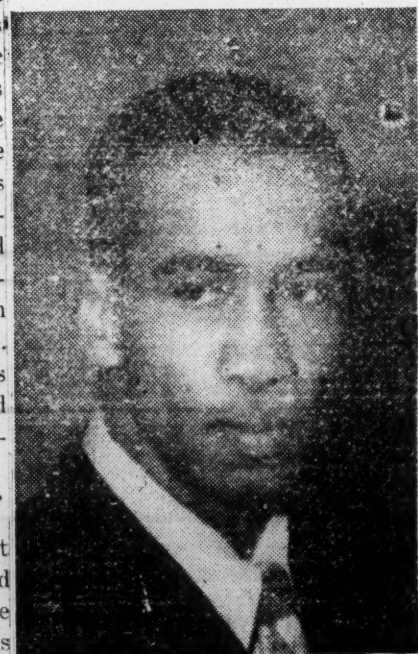
He and his companion left the subway at 42nd street and 6th ave and walked over towards Broadway. All pedestrian traffic had been routed so that persons walking along one side of the street must all proceed in the same direction. The pair was walking south on Broadway towards 43rd street and had reached the front entrance of the Paramount Theatre. Chappie was on the inside, nearest the entrance. He was turned toward the signs displayed around the boxoffice and had made a remark that his companion leaned over to hear.

BLOW UNEXPECTED 1-8-44

Just at that moment a fist shot out behind the minister and struck him a chilling blow on the right side of the jaw. Both hands were in his pockets and so when he fell, he landed with crushing

force on his face. Because the crowd was full of New Year's spirits — literally — no notice was taken of the incident. The mob continued to flow on past the theatre, and only when the companion turned Reverend Richardson over, saw his bloody face, and head, did any one appear to realize what had happened.

A Negro marine and a white soldier rushed to the fallen man and dragged him out of the mass to the sidewalk. There a policeman took charge, kept the curious away, and called an ambulance. Chappie was incoherent when the ambulance arrived from Bellevue; knew only that he was a minister, and that he wanted to go home. He was on the verge of signing a release that would absolve the ambulance drivers from any further responsibility, when his companion intervened and insisted that he be taken immediately to Bellevue.



REV. BEN RICHARDSON

was immediately taken to Bellevue, and in doing

LT. G. W. LEE ATTACKED AND ASSAULTED BY HOODLUMS

MEMPHIS, Tenn.—(SNS)—

One of the city's most prominent Negro leaders, Lt. George W. Lee, insurance executive, writer of books, business civic and nationally known racial leader, was murderously assaulted, and almost killed last Saturday evening around 7 o'clock by two Negro hoodlums, on Beale Street, a thoroughfare he made famous in books for the rest of the world. Dozens of eyewitnesses to the incident told of what happened. They said that Lt. Lee had just returned to his Atlanta Life Insurance office at 390 Beale Ave., and had started out of it, when he set upon by two men, who evidently had been waiting for him. As he reached the center of the street in front of his office, enroute to the Beale Elks Rest across the street, they unwrapped a long, dirk-like lethal weapon, which they had covered in a white cloth, and ran into the street to intercept the prominent leader.

Without uttering a word they stabbed him in the back of the head cut him about six inches across the right eye, and on both hands. The cries of eyewitnesses as frightened the would-be killers, made them turn and run down the alley located between Beale Avenue auditorium and the building housing the Elks Rest.

The 'lieutenant,' (a title he won as a hero who received a medal for bravery in World War I,) turned and walked back to his office, despite his wounds, and called his physician, making an appointment to see him and have his wounds treated. 5-23-44

They caught him in the middle of the street... They approached him from behind, and before he could detect them, they had stabbed him in the back of the head, through his hat... cut him across the face just above the right eye, and elsewhere. The cries of bystanders are felt to be all that kept the men from murdering the well-known political and civic leader.

Other witnesses who gave their names are Mr. Zellner Miller 403 Beale Ave., Apt. 3, and Mrs. Mary L. Halliburton, Recreation head of the Beale Avenue Auditorium.

It was estimated by some witnesses that the "lieutenant" was maltreated by the hoodlums because of his part in securing police protection for the Booker T. Washington High School 'prom' which was held at the Auditorium last Friday night. Lt. Lee said that he was talking with Prof. B. T. Hunt, principal of the school,

and is the author of this summer; the very active Memphis spirit behind the Beale Street Elks Lodge, No. 96. The majority of the friends and associates of the outstanding Memphisian voiced the belief that the attack was the work of hoodlums with a minor "grudge." Mr. Lee, after treatment at the office of Dr. S. B. Hickman, was apparently resting well at his residence on Stephens Avenue late in the evening.

Mr. Lee is the organizer of the largest Negro small-time hoodlums in the world, the Atlanta Life Insurance Company. He heads the local group of Negroes who will attend the coming national convention of the Blues Elks Bowl.

The 'lieutenant' stated to police officers, while he was in a doctor's office, that he had no known enemies, and that he knew of no reason why anyone should want to harm him. 5-23-44

Mr. Lee is the organizer of the largest Negro charity in the South (the annually-held Beale Street Elks Bowl).

Some intimates of the prominent

Saturday night
Urban League Head Beaten
Amsterdam News - New York, N.Y.
Mercilessly By Bus Driver
1-8-44

MEMPHIS, (ANP)—Benjamin F. Bell, executive secretary of the local Urban League, became a victim of assault Monday night, when a Walker Ave. trolley bus operator black-jacked him over the left eye. Bell has announced his intention to institute suit against the Memphis Street Railway Co., as soon as his physical condition permits.

The trouble began when Bell failed to get off the bus when the driver stopped the vehicle for a traffic light. The Urban League executive waited to get off at the regular stop where he rang the bell. "You get off wherever I stop, and don't give me no head," the driver shouted to Bell who tried to reach an under-standing.

In a flash the bus driver arose from his seat and blackjacked Bell viciously over the left eye. Although the white man had both a blackjack and revolver about his person, Bell grappled with him and prevented his using the pistol by holding the driver's hand tightly.

Called for Help

Meanwhile, when Bell asked someone of the passengers to relieve the driver of his blackjack, no one stirred except to move farther back in the bus. Bell then raised the driver clear off the floor in an effort to get him nearer the front door, so that "in the event the driver got his gun, lives of other passengers would no be jeopardized," he said.

Bell finally relieved the driver of his blackjack but did not attempt to return the blow. The Urban League head fled from the bus; the driver pursued him, but lost his victim. Bell estimated that there were eight to 12 Negroes and three white passengers on the bus.

Attention was called to the fact that even though the Walker Ave. bus is very heavily patronized by colored people, it was just two years ago when a bus driver on that line shot and killed a man, and on April 15, 1941, David Love, a well known church worker and respected Memphis citizen, was killed on a crowded Walker Ave. bus by one of the operators.

ICE PICK ASSAILANT
Birmingham Post
OF GIRL IS HUNTED
Birmingham, Ala.

Police today were searching for an unidentified Negro who stabbed Miss Rosa Lee Ragusa, 23, of 6100 Court F, Fairfield, near East Thom-as last night.

According to Miss Ragusa, she and Tom Tortorice, Adamsville, Route 1, just had parked on the

WYOMING
Time - Chicago, Ill.
Western Dewey

A young Harvard-educated prosecutor who likes to think of himself as the Wild West's Tom Dewey last week could carve four more notches in his briefcase. His victims: Cheyenne, Wyo.'s mayor, chief of police and two cops.

Cheyenne's dilapidated, frame-built West End district* was a wide-open haven for girls, gambling and guzzling until last summer, when Army authorities from nearby Fort Francis E. Warren cracked down. Sin spots went under cover, which meant they had to begin buying protection. Soldiers (mostly Negroes) from Fort Warren still had a million-a-month payroll to blow. In sleazy backroom dives, blackjack stakes ran as high as \$200 a game. Nightspots bootlegged whiskey because they could not get liquor franchises, limited by law.

* Long known, in revenge, as "Little Chicago," because Chicago in the 1880s named its red-light district "Little Cheyenne."

officially valued at \$50,000 each. Negro service wives were forced to prostitute themselves or be thrown out of their rooms in the congested Negro district.

All this became known to blue-eyed, baby-faced Byron Hirst, 31, the new county attorney. He also heard that the mayor was in on the take, and warned him: "I'm not interested in being a conquering hero around here, but everybody is beginning to think you're a crook." Finally Hirst set a trap. He got the buxom Negro madam of the "Black and Tan Club" to insist on paying off to the mayor and police chief in person. Hirst's men watched through a peephole, recorded the transaction on a dictograph. Last week Attorney Hirst got his convictions.

The Jones Case
Daily Worker - New York, N.Y.

THE case of John H. Jones, Albany Negro laborer who charges Gov. Dewey's investigators of the Albany Democratic machine with using third degree methods on him, has some startling aspects.

Since Jones does not know the identity of the investigators, a police court judge ordered the state police authorities to turn over their names. The State of New York is now trying to prevent the Albany courts from learning who they are.

Here, then, is Gov. Dewey, the great "racket-buster," the man who earned his reputation as a protector of law and order, using his state machinery to hide away men accused in court of committing illegal acts of violence.

Inquiry by responsible leaders, Negro and white, has established the fact that these investigators have terrorized the entire Albany Negro community in their efforts to extort evidence against the Albany Democratic machine. They obviously concentrated their efforts on Negro citizens because they figured they were most defenseless. And the governor, who proclaims himself a champion of Negro rights, protects their persecutors from prosecution.

THE LOUISIANA INCIDENT SHOULD BE INVESTIGATED

NEW IBERIA, La., last week, furnished the latest example of a seemingly endless series that long has had the rest of the world looking askance at the democracy to which we give so much lip service.

Because they dared to seek a welding school for Negroes in New Iberia over the vigorous objection of the supt. of the parish schools, and because they were successful in getting the school established by carrying their case to Washington authorities, a group of Negro leaders—including doctors and a school teacher—were taken into custody by the sheriff's office, brutally beaten, carried to the outskirts of town and told to get out, with the victims being dared to even look back, as the agents of the Louisiana version of the Gestapo stood eager and ready with cocked pistols to blow out the cowed men's brains.

These men had committed no crime. They had broken no law. They only wanted that to which, as Americans, they were entitled, and which, incidentally, was a direct contribution to the war effort. Welders are badly needed in vital war industries. The New Iberia Negroes wanted to prepare and qualify for jobs as welders. Their local officials, however, told them that they wanted the Negroes to do nothing other than continue in their serf capacity on farms.

In the New Iberia incident, the state of La. will probably do nothing, for the parish officials' actions reflected the general attitude of higher state officials. The Dies committee would probably adopt the premise that the Negroes surely must have been inspired by "Communists" to be asking for a welding school and desiring to get into war work. The Negroes would be investigated.

Certainly, it seems, however, that the department of justice might be interested. Certainly this type of persecution cannot go unchallenged. Yesterday it happened in Louisiana—tomorrow it may happen in Texas, in Missouri, in your town.

Surely, there should be calm, but determined insistence that the Louisiana incident be investigated.

America should at least be safe for Americans.

When it suits his political purposes, Gov. Dewey is, then, not at all averse to shielding those who are accused of crime.

3 Negroes Held
Advertiser - Montgomery, Ala.
In Knife Attack
On Bus Driver

Three negro soldiers were held in the guard house at Maxwell Field last night in connection with the knife attack that before upon R. B. Pruitt, the time policeman reached the scene, the attackers had vanished. Officers E. Y. Lacey and R. L. W. were ten-identified as Pruitt's at-Tillery, however, arrested five the post, it was learned that two soldiers claimed alibi train bound for Grand Central Terminal was stored at 124th

Mr. Pruitt remained in St. Margaret's Hospital in a critical condition. He was able, however, to scrutinize the three negroes who the hospital trio was transported to Police said two of the soldiers stopped the bus and walked to Grand Central the 6:02 P.M. from the Street in the Bronx. An elderly passenger was cut by glass fragments. Trainmen said there had been other stonings in the last ten days, but up to last night the throwers had not been caught.

Mr. Pruitt's physician said he had five stab wounds and that his witnesses, J. H. Bagley, Mont-and pulled him off the bus where he was attacked with knives. Then, he related, he and the three soldiers came back aboard the bus and walked to Grand Central the 6:02 P.M. from the Street in the Bronx. An elderly passenger was cut by glass fragments. Trainmen said there had been other stonings in the last ten days, but up to last night the throwers had not been caught.

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IRKED BY TRAIN STONING
Times - New York, N.Y.
New Haven Passengers Resent Attacks in Harlem and Bronx

Commuters on the New York, New Haven & Hartford Railroad have become uneasy, it became known yesterday, by repeated stonings of trains passing through Harlem and the Bronx. Yesterday, at 12:30 P.M., a train bound for Grand Central Terminal was stored at 124th

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15-1944

NEGRO ACCUSED IN SCOTTSBORO CASE IS JAILED

Clarence Norris Declared
Delinquent, Returned To

Kilby
9-28-44

By United Press.
MONTGOMERY, Sept. 28.—Judge Alex Smith, chairman of the Alabama Pardon and Parole Board, announced today that Clarence Norris, 32-year-old Negro and a principal in the famed Scottsboro case of 1931, had been returned to Kilby Prison, having been declared "delinquent" after nine months on parole.

The Negro was picked up yesterday, after he left his job with a Montgomery lumber firm, and returned to prison. Judge Smith said he and the parole board had conferred with Norris only several days ago and that he "promised to do better."

Norris was among nine Negroes arrested and accused of attacking two white women while riding a freight train near Scottsboro in 1931. Following the lengthy trial, he was sentenced to death, but this was commuted to life imprisonment by the late Gov. Bibb Graves.

Refuse To Let Ala. Officials Have Soldiers

Trio Is Wanted
For Stabbing Of
White Bus Driver

9-15-44

MONTGOMERY, Ala.—(S N S)—The War Department has turned thumbs down on the request of Solicitor Temple Seibels that the three Negro soldiers who allegedly attacked a City Lines bus driver on the night of June 24 be turned over to civil authorities for trial, the solicitor said Tuesday.

Alabama

In a letter from the War Department in Washington, Maj. Gen. J. A. Ulio, adjutant general, told Solicitor Seibels that the matter was referred to his office "through channels," by Maj. Gen. William O. Butler, commanding general of the Eastern Flying Training Command, with the recommendation that the soldiers not be released to civil authorities for prosecution, and that, after studying it thoroughly, the War Department had concurred in the recommendation.

DRIVER CUT 9-15-44
The soldiers, Pvt. Pontius Flowers, Corp. Raymond Robbins, and Pvt. Joseph Bowman, are alleged to have attacked R. B. Pruitt, City Lines bus driver, with knives in a Washington park bus he was driving, following a disturbance on the bus. Pruitt was sent to a hospital in a critical condition.

Accompanied by Sheriff Mosley, Solicitor Seibels called on Col. R. E. L. Choate, commanding officers at Maxwell Field at that time. They discussed the case with Col. Choate with the view of getting Maxwell Field to turn the soldiers over to Sheriff Mosley in order that they might be tried by civil authorities.

9-15-44
Col. Choate advised the solicitor that he did not have the final determination of the matter in his hands and that it "would be referred to a higher authority."

BUTLER NOT MENTIONED

"At no time did he mention Gen. Butler, commanding officer of the Eastern Flying Training Command, as the higher authority," Solicitor Seibels said. "Not knowing that Gen. Butler was the higher authority he referred to, and not being informed he was on the post at the time, Sheriff Mosley and I did not contact him relative to the case."

Thereafter, Solicitor Seibels wrote a letter to Col. Choate stating his position and his reasons for thinking the Negro soldiers should be turned over to civil authorities for trial. He received a letter, written on July 18, in reply which stated that charges had been prepared against the three soldiers and that investigations were still in progress. He added that the civil authorities would be notified as soon as investigations were completed. There were several other letters to Seibels informing him that the men would be turned over to civil authorities here, one of these having come from the highest military authority, Maj. Gen. Ulio, Adjutant General.

9-15-44

Seibels said Tuesday that he wanted the people of Montgomery to know why the three soldiers would not be tried in the civil courts of the county. "I have done all I could without any seeming success," he said, expressing regret at the disposition of the matter.

'Scottsboro' Negro Goes To Jail After Parole Trial

MONTGOMERY, Ala.—(P)—Clarence Norris, 32-year-old Negro and a principal in the "Scottsboro case" of 1931, has been declared "delinquent" and returned to prison after nearly nine months on parole, Alex Smith, chairman of the Alabama Pardon-Parole Board, announced Wednesday.

Judge Smith said the board had "worked and advised with Norris and tried to get him to work." Several days ago the Negro and several friends conferred with the parole group "and he promised to do better," Smith said.

The chairman added that when the Negro left his job with a Montgomery lumber firm Wednesday, he was picked up and returned to Kilby Prison." He said paroling authorities of several states had declined to accept Norris for "residence, employment and supervision."

9-28-44
Norris originally received a death sentence, which was commuted to life imprisonment by the late Gov. Bibb Graves. The case grew out of the arrest of nine Negroes accused of criminal attack on two white women while riding a freight train near Scottsboro in 1931.

Lucius Jones Suffers Assault By Soldiers

*Daily World
Atlanta, Georgia
Sept. 6, 1944*

NEW ORLEANS, La — (SNS)—
Lucius L. Jones, Managing Editor
of the Louisiana edition of the
Pittsburgh Courier, was brutally
attacked by five soldiers from
Camp Plauche, near New Orleans,
and stabbed in the back about
the head at a cabaret party given
last Saturday night by a young
women's club in this city.

Forty-eight stitches were requir-
ed to close the wounds, it was
revealed by attaches of a hospital
here. Jones reported that he was
on a picture assignment with a
photographer when he was ap-
proached on the dance floor by the
soldiers and told, "We don't allow
any Jodies on the dance floor."
It was said that all of the sold-
iers drew knives and a Jones at-
tempted to leave the dance floor
he was stabbed on both sides of
the head and slashed down the
back. The back wound alone re-
quired 41 stitches.

The Courier has lodged a pro-
test with Camp Flauche authori-
ties and demands adequate punish-
ment for those guilty of the asault.
The paper believes the Negro press
should show a solid front in order
that all may know the press will
protest its reporters at all times
in the line of duty.

One of the first to be notified
of the assault of Jones, former
Atlanta Daily World managing,
sports and society editor, who only
recently paid a vacation visit to
his former home town, was Wil-
liam G. Nunn, Courier managing
editor.

Full Details Of Iberia Beatings Are Forwarded To FBI

Under direction of NAACP Attorney Tureaud and Daniel P. Jones, NAACP President, New Orleans, affidavits from each of the victims in the recent New Iberia mob violence incident have been forwarded to FBI and NAACP headquarters in New York City.

The incidents that necessitated the securing of these affidavits occurred in New Iberia on May 15, 16 and 17, when a mob of in-

RESENTED INSULT

Reported Attacker for Use of Epithet

4-1-44 WASHINGTON,

A swollen and battered mass of bruises and abrasions, Edgar G. Brown, militant president of the National Negro Council and candidate for Congress in the Second Congressional District of Illinois, told the AFRO how he was beaten into unconsciousness by a Capitol doorman late Wednesday evening.

Mr. Brown declared he was set upon by Randlett Towns Lawrence, 17-year-old white doorkeeper from Monthalia, Texas,

The local branch of the NAACP this week urged that the Department of Justice "take necessary steps toward immediate and complete investigation" of circumstances surrounding the beating of Edgar G. Brown by a 17-year-old white Capitol guard.

In a letter to Attorney General Francis Biddle, the association pointed out that it felt that the case lay in the province of the department, since the attack had occurred on Federal property while a citizen was exercising his Constitutional rights.

who waylaid him as he was leaving the Capitol at the close of the afternoon session.

Mr. Brown had allegedly resented the doorman's mumbling an epithet about him as he was leaving the House gallery the previous day and reported the insult to Representative Everett Dirksen (R., Ill.) who, in turn, is said to have used his influence with Head Doorkeeper Ralph H. Roberts. The guard was assigned to another post, which he resented. Mr. Brown said he also reported the incident to Speaker Sam Rayburn (D., Texas).

Mr. Brown returned to the apparently aroused the ire of Lawrence, but no words passed between them, he said.

At the close of the session Mr.



EDGAR G. BROWN

Brown declared he was leaving the Capitol as Lawrence rushed toward him and with little warning struck him, knocking him down, and proceeded to beat him unmercifully. He was knocked unconscious during the assault, he said, but neither the other guards, the regular police or any of the assembled spectators made any effort to intercede. 4-1-44

Left lying on the steps, bleeding profusely, police and other officials rushed around gathering names of witness for nearly half an hour before removing him to the hospital where he may be suffering with a fractured skull and other internal injuries. Lawrence told police that Mr. Brown threatened him with a shovel. Both will be charged with assault.

Dr. E. L. Dorsey, who owns a clinic, funeral home, and insurance company, all in New Iberia and Franklin, Louisiana, is said to have gone to the sheriff after the Hardy beating was allegedly told after he resisted the beating, to go back to his office and do his work and that neither could his safety be guaranteed. Dr. Dorsey is a welder, a druggist and staunch supporter of the welding school (which seemed to have been the match that ignited the flame of violence) had his house surrounded by deputies on the second night of beatings, but apparently fearful of the physician who was barricaded in his darkened house, the group left him unmolested. The following morning, Dr. Scroggins escaped by a circuitous route to Lafayette, thence to Baton Rouge, and finally to an unnamed town. Others who fled under duress were: O. C. Lilly, Jr., Miss Freezoll, Walter, NAACP assistant secretary, and Roy Palmer, welding school instructor.

Edgar Brown

Attack Victim

Beaten at Capitol by

Texas Doorman
Baltimore, Md.

15-1944

Crime

Whites Outdo Negroes In Crime

Savannah
Ca.

SO. CHARLESTON, S. C. POLICE RECORDS SHOW

8-24-44
Charleston, S. C., August 18,
(ANP)— White Charlestonians
again outcrimed Negroes during
the first six months of 1944,
the report of Chief of Police
Chris H. Ortman to the mayor,
disclosed last week.

The police report listed total
arrests as 8,828, of which 6,077
were white and but thirty two
percent colored. Approxi-
mately 800 of the whites were
women and about 400 of the ar-
rested Negroes were women.

Over a period of five years,
there has been a sharp decline
in the ratio of Negro commit-
ted crime over that of whites.
The population is almost evenly
divided between the races.

15-1944

D.C.

Maid Who Slapped Socialite For "Name-Calling" Fined \$10

Washington Tribune D.C.
12/8/44
A 1-year sentence was reduced to a \$10 fine last week for a Montgomery County maid, Mrs. Martha Bowie, 33, of near Laytonsville, Md., charged with assaulting (slapping) her employer, the socially prominent Mrs. Clarence Small, white, of Laytonsville.

The sentence had been imposed in Rockville police court in August. The NAACP and others became interested in the case and it was appealed. The fine was imposed by Judge Charles Woodward in Montgomery County Circuit Court.

Mrs. Small asserted that the maid struck her in the chest. Mrs. Bowie said she slapped Mrs. Small on the neck because Mrs. Small called her a very bad name. *12/8/44*

The name calling was denied.

15-1944

Man Extradited To Miss. Freed

Word has been received here that George Andrew Burrows who was extradited from New York to Mississippi in March, 1943, on a charge of shooting a white man, has been freed of all charges by the State of Mississippi.

Burrows, who was employed in a hotel in Gulfport, Miss., was said to have wounded two white men after an altercation allegedly involving a white waitress in the hotel. Apparently the connection of a white woman with the case faded completely and the other charges were dropped by the state. No trial was had.

At the time of the extradition to Mississippi, Governor Thomas E. Dewey secured a personal pledge from the late Paul B. Johnson, then Governor of Mississippi, that no personal harm would befall Burrows.

Although all charges in the Mississippi courts against Burrows were dropped, the latter is being held in the Alien Detention Station in Algiers, La., on a passport charge and is subject to deportation to the West Indies. Burrows' release from the state courts was ordered by the Second Circuit Court of Mississippi.

The Burrows Case

Philadelphia, Pa. Editor, Daily Worker:

A reactionary acquaintance of mine the other day defended the freeing of Moseley on the grounds that, after all, he is a gentleman. That "gentleman" argument reminded me of the "gentleman's agreement" that "gentleman" Dewey made with Governor Johnson of Mississippi (since deceased, I believe) when he permitted the extradition of George Burrows.

What has been the fate of Burrows? How does the case stand today? How many other "gentleman's agreements" has Dewey made in his aim to extradite the American people into reaction and chaos?

ROOSEVELT REPUBLICAN.

ED. NOTE: We hope soon to publish another story on Burrows, who, we understand, is now free.

Extradition Of Ira Bryant Is Refused

6-30-44
Governor Reveals Action During Thursday Hearing

NASHVILLE, Tenn.—(S N S)—

Governor Prentice Cooper of Tennessee Thursday refused extradition of Ira T. Bryant, stormy petrel of the African Methodist Episcopal Church, and former secretary of the AME Sunday School Publishing Board, who has been sought by Philadelphia police since he forfeited \$4,000 in bonds growing out of his arrest at the general conference here last month. The refusal to send Bryant back to Philadelphia was revealed by Governor Cooper during a hearing held Thursday here.

The law firm of Raymond Pace Alexander revealed several weeks ago that in reply to a request from Assistant District Attorney Franklin E. Barr, the Nashville Chief of Police arrested Bryant on June 16 for the libel charge and bail jumping.

Bryant failed to appear in Philadelphia on May 31 to answer charges preferred against him by Bishops R. R. Wright, Jr., of Wilberforce, Ohio; W. A. Fountain, of Atlanta; David H. Sims, of Philadelphia, and Dr. A. S. Jackson, of Washington.

He was arrested on May 10 on a warrant sworn out by Bishop Wright, who based his charges on articles contained in circulars Bryant reportedly had been distributing on the AME conference floor and in the New Era, a purportedly Sunday-School organ. Bryant continues to publish at Nashville. Bishop Wright contended that the articles were libelous in nature and designed to defame his character. The charges by the other churchmen were similar.

After being held for several hours at the Pine Street police station, near the arena where the conference was held, Bryant was given a preliminary hearing and held to the grand jury on \$1,000 bail in the Wright warrant.

He put up \$1,000 cash to obtain his release. Additional bail was required under the Fountain-Sims-

Extradition

Jackson warrents sworn out later. TRENTON, New Jersey — (C)—as he discharged Catching on On May 31 his bonds were ordered Governor Walter E. Edge granted August 10.

For a long number of years Arnall for the extradition of Her-Bryant is said to have contended man Powell, who was caught in that if the charges of fraud and Newark after escaping from prison dishonesty claimed against the in the southern state where he was bishops were not true, the bishops to serve a life term for the acci- and other church officials should dental killing of a white woman in take him to court. He failed to ap- an automobile crash.

Philadelphia, however, after the Powell served one year of his life sentence in a Georgian County jail. Then fled one day when the sheriff left the keys in the door. In Jersey, 35 year old Powell got a job in a war plant and lived for 2 1-2 years.

GEORGIA NEGRO PUTTING UP FIGHT

News-Savannah, Ga.

ESCAPED FROM PRISON

Judge Postpones Action to Get Court Record

6-8-44

TRENTON, N. J., June 7 (AP).—Because the "racial question is raised," Attorney General Walter D. Van Riper said today he had postponed action on a request by Governor Arnall of Georgia for extradition of a Newark negro.

Herman Powell was sentenced to a Georgia prison for life following conviction of murder in connection with the death of a white woman in an accident in which his automobile was involved.

Sheriff Dewey Howell of Johnson county Georgia, testified at a hearing conducted by Van Riper that the negro was drunk at the time of the accident. Powell escaped February 6, 1942, and was arrested last month in Newark as a fugitive.

Van Riper stated that he believed Governor Edge of New Jersey is "bound by the request of another state" and, however, that "because of the racial question, I am going to recommend to Governor Edge that we take every opportunity to see if there has been any antipathy to the defendant because of his race."

"I shall write to the attorney general of Georgia and ask for a complete record of the case. When I have studied it, I will make a recommendation to the governor."

I. Herbert Levy of Trenton, representing the American Civil Liberties Union, asked that Powell be "dealt with fairly by the state of New Jersey."

Powell's counsel, Charles M. Grossman of Newark, pleading against extradition, said Powell's conduct had been "exemplary" since he arrived in New Jersey and that if he returned to Georgia he would be "subject to mob violence."

Jersey Governor Returns Lifer

Memphis, Tenn. Georgian Is Extradited

Judge Refuses To Return Man To Face Dixie 'Law'

8-26-44

Declaring that a murder trial with a Negro as defendant in the state of Mississippi would be a "mockery of justice," Federal Judge Elwyn Shaw granted Johnnie Catching a writ of habeas corpus and ordered the defendant discharged.

Catching was charged with violation of the Selective Service Act by the state of Mississippi, which sought to extradite him from Illinois. Previously the state of Mississippi had failed in an attempt to extradite Catching to face a murder charge there.

His attorneys, Eugene Wood and Robert E. Bryant, special counsel for the NAACP, fought the case on the grounds that the federal charge had been brought against their client with an ulterior motive. Agreeing with their contention, the judge said, "This indictment for the violation of the Selective Service Act is merely a subterfuge in order to get the defendant back to Mississippi."

In Hazelhurst, Miss., Catching was engaged in selling illicit "home brew" with the protection of the sheriff. A man was killed near Catching's home and the sheriff persuaded him to take the blame, assuring him he would be protected. Later when mob violence threatened, the official gave Catching a suit of clothes, \$50 in cash and a railroad ticket to Chicago. Subsequently, local pressure forced Mississippi authorities to attempt extradition.

"Be sure and stay in Illinois as long as you can," advised the judge.

Prisoner Fights Extradition to Alabama

People's Voice - New York City

Wayne county jail here eight months fighting extradition back to the southland, is charged with being a fugitive from justice, and the long arm of the law is attempting to reach into Michigan and take Allen back to Dixie. According to all the evidence brought at the numerous hearings in case Allen is guilty of no serious crime. But Gov. Harry Kelly refuses to stop extradition.

The records show that last July, Allen met two white men on a road near his farm in Alabama. One of them pushed a gun against Allen's ribs. Not knowing who they were, Allen knocked him down and took his gun away. Later he found out they were deputy sheriffs in plain clothes.

In the meantime a lynch mob had been formed. For three days, Allen was hunted with bloodhounds through the woods. He escaped to Detroit, got a job in a war plant where he was traced by the Alabama officials. The Alabama authorities charge Allen with

robbery and grand larceny and assault with intent to murder. The case, which is being handled by the Civil Rights Federation here, was heard again Monday before Federal Judge Frank Picard on a writ of habeas corpus. Judge Picard, at an earlier hearings, denounced a system under which a person would be term for the accidental killing of a white woman in an automobile crash.

Powell served one year of his sentence in a Georgian County jail. Then fled one day when the sheriff left the keys in the door. In Jersey, 35 year old Powell got a job in a war plant and lived for 2 1-2 years.

In granting the extradition request, Governor Edge recommended clemency for he felt the

Governor Returns Lifer To Georgia

Guardian - Boston, 8-26-44

TRENTON, New Jersey (C)—

conviction of murder as a result of an automobile accident was "such a departure from regular procedure in this state, but he was asking Georgia to extend to Powell the same treatment accorded in numerous other cases where defendants have been paroled after serving three years of a life sentence."

A Blow Against Peonage

THE ACTION of Federal Judge Walter J. La Buy in Chicago a week ago in refusing to extradite Lonnie Kimbrough, young Negro, to Mississippi peonage was a fine deed and reveals once again the background of Negro oppression in the South and the hypocrisy of the Republican reactionaries. Here is a case resembling the days of slavery. Two years ago Lonnie Kimbrough was charged with a common brawl and jailed. It is a common practice of the southern peonage system for white planters to "fix" such cases with prison authorities and have Negro prisoners released to work a year on their farms. 12-18-44

Lonnie Kimbrough's case is a concrete example of this practice. W. P. Scruggs, a white plantation owner, arranged for Kimbrough's release providing he worked a year on the plantation. After one year Kimbrough received \$42 in "wages". Whereupon Kimbrough, with his wife and children fled to Chicago. There he obtained a job in a war plant. Then a request for his extradition to Mississippi came through to Governor Dwight H. Green of Illinois. The Republican Governor agreed to the extradition, which Federal Judge La Buy now overruled. 12-18/44

We had a similar case in the state of New York last year when Governor Thomas E. Dewey upon request for extradition returned a Negro to peonage in Georgia.

Here is something for the Negro people to remember. These cases show up the hypocrisy of the Republican reactionaries; the difference of words and deeds.

Extradition Of New Yorker To S. C. Opposed

NAACP Comes
To The Aid Of
Innocent Man

12-23-44
NEW YORK — (SNS) — The NAACP will fight extradition of George Washington to Aiken, S. C., on a charge of burglary last September 23. Affidavits proving the whereabouts of Washington on the alleged date of the crime and request for permission to be heard in the case have been forwarded to

Gov. Dewey's Counsel, Charles D. Breitell.

According to Mrs. Almata Washington, wife of the accused and Mrs. Julia Primus, signers of the affidavits, the couple visited in Aiken from Aug. 14 to Sept. 17, at which latter date they drove to New York, arriving Sept. 21. In addition, the NAACP is prepared to prove through direct testimony from witnesses, including the employer of the accused to whom he reported for work Sept. 22, that it was impossible for Washington to have committed a crime 1000 miles distant. 12-23-44

The District Attorney of Queens County has also been notified about the affidavits and the opinion of the NAACP that Washington is being held now in the long Island City jail pending arrival of authorities, for a crime he did not commit.

Negro in Chicago Saved From Slaver's Reach

Special to the Daily Worker

CHICAGO, Dec. 13.—Chicago Negroes and all freedom-loving people hailed the courageous action of Federal Judge Walter J. La Buy last Friday in refusing to extradite Lonnie Kimbrough, a young Negro, to Sunflower County, Mississippi, where he escaped after serving two years on a plantation under a system of peonage resembling the days of slavery.

Under questioning in Federal court by his attorney, William Henry Huff, Kimbrough said that in 1942 he had been working for the U. S. engineering service in Mississippi, running a bull-dozer on airfields in that vicinity.

On Dec. 1, 1942, he said, he was set upon by one Willie Stewart, a Negro, and Stewart's two sons, who "trumped up" a quarrel with him. All participants in the brawl were arrested and jailed.

Then, Kimbrough said, one W. P. Scruggs, owner of a plantation, visited him in jail and promised to arrange his freedom if Kimbrough would come to work on his plantation. Kimbrough said he accepted the offer and after a year received \$42 in wages.

On Aug. 28 last, the testimony continued, Kimbrough, his wife and children fled from the plantation and came to Chicago, where he obtained a job in a war plant.

Then came the request for extradition, based on an indictment charging Kimbrough with assault with a deadly weapon on Stewart.

Gov. Dwight H. Green agreed to the extradition. Kimbrough, after telling his story, which was uncontradicted, was freed by Judge La Buy, who added: "Some of these plantation owners apparently don't know that slavery has been ended in the United States."

"Judge a Buy," said Ray Kimbrough, chairman of the South Side Council of the CPA, "refused to accede to the extradition request already granted by Gov. Green."

The Negro people of Chicago's South Side will remember how in the recent election campaign Green and his South Side henchmen sought to peddle him as "the friend of the Negro people."

Extradition of New Yorker to S. C. fought by NAACP
NEW YORK—Fighting the extradition of George Washington to

Aiken, S.C., on a charge of burglary, which he is alleged to have committed there Sept. 23, the NAACP this week filed with Gov. Dewey affidavits proving he was elsewhere at the time and requested permission to be heard in his behalf. 12-25-44

Mrs. Almata Washington, wife of the accused, and Mrs. Julia Primus deposed in the affidavit that the accused and his wife left Aiken on Sept. 17 for New York, arriving on Sept. 21. And by direct testimony, the NAACP declares it can prove that Washington reported to work in New York on Sept. 22, which would make it an impossibility for him to have committed a crime a 1000 miles away the following day.

Negro's Counsel Charges Prejudice

Counsel for Ralph Johnson, 45, who is fighting against removal to Alabama to face a charge of assault and battery with intent to murder, has filed a writ of habeas corpus in Federal Court in Pittsburgh charging that:

"A state of feeling against your petitioner in Calladega County Ala., is so high that a fair and impartial trial could not be given him were he returned. . . ."

Johnson, a Negro of West Newton, Pa., and an employee of the Westinghouse Electric and Manufacturing Co., is under indictment of charges of having tried to kill a man at Sylacauga, Ala., last December. Westmoreland County Common Pleas Court denied a request for Johnson's extradition.

15-1944

Florida

**Fla. Jury Fails to
Indict 3 Whites
in Boy's Death**

NEW YORK—Gov. S. L. Holland of Florida, has informed the NAACP that the grand jury of Suwannee County has failed to return an indictment in the case involved in the death of Willie J. Howard, 15, on January 2, at Live Oak, Fla.

The boy, who was alleged kidnapped and thrown in the river after his hands and feet had been tied, was accused of giving a Christmas card to the daughter of one of the men. They said he fell in the river.

15-1944

Frees Negro Tribune—Savannah, Ga. Girl Who Slew 9-7-44 White Man

JACKSON, TENN., (ANP)—Gentle mercy came from the lips of Judge Frank L. Johnson of the 12th judicial district of Tennessee as he announced that 26 year old Terather Bryant, alleged murderer of Walter Proctor, her white employer, could go free.

Although Lois Acuff, a deputy sheriff, endeavored to establish the fact that the motive for the killing was robbery, after the girl described how Proctor had tried to force her to succumb to indecent sex relations, Judge Johnson released her.

Two Scottsboro Boys People's Voice Freed; Fight Goes On 1-15-44

Two more of the Scottsboro boys were released on parole, last week, but according to the International Labor Defense the fight to free all of the boys will be continued. Clarence Norris and Andy Wright were the two boys released. Norris was sentenced to life imprisonment and Wright to 99 years. On November 18, Charlie Weems, who was sentenced to 75 years, was released on parole. This leaves Patterson and Powell to be released. The ILD will continue its fight to get unconditional freedom for all the defendants.

The Alabama Board of Pardons and Paroles has stated it will not even consider paroling Patterson and Powell for five and three years respectively because of their "bad prison records."

A SEMI-INVALID

Powell has been a semi-invalid since January 24, 1936, when a deputy sheriff put a bullet in his head while transporting him from the trial at Decatur, Alabama, to Birmingham. 1-15-44

Patterson's prison record is "bad," according to the ILD, only by those Alabama standards which require a prisoner to take

beatings and other brutal mistreatment from prison guards without protest.

On July 24, 1937, after six years of trials and imprisonment, the charges against four of the original nine defendants were dropped as was the "rape" charge against Ozie Powell. Powell nevertheless was sentenced to 20 years on a charge of "assaulting" the deputy sheriff who shot him.

Samuel Liebowitz, now a county court judge in Brooklyn, was the defense attorney for the Scottsboro trials.

Freed

15-1944

N.Y.

**Indict White Dixie
Daily World-Atlanta,
Sailors For Attack
10-29-44 Ga.
On Subway Guard**

NEW YORK—(SNS)—Arthur Crabtree and Austin Henderson, white southern sailors charged September 23 with assaulting Kirkman Thomasson, Negro subway guard, were held to the grand jury by Magistrate Anna Kross, October 21. Walter White and Edward R. Dudley, assistant special counsel of the N. A. A. C. P., who assisted in gathering the evidence, were present at the hearing.

The southerners struck the guard a blow, fracturing his skull, after an early morning discussion on "What part of the country do you come from?" at the 8th Avenue, 34th Street station.

Ask Pardon for 2 Negro Soldiers

Daily Worker
New York, N.Y.
A formal appeal for clemency has been made to President Roosevelt in the cases of Frank Fisher, Jr. and Edward R. Lorry, Negro soldiers in McNeil Island Penitentiary on court martial convictions of rape. It was announced yesterday by Representative Vito Marcantonio, president of the International Labor Defense and counsel for the men. **8-13-44**

Associated with Mr. Marcantonio in the appeal is Dean William H. Hastie, of Howard University Law School and head of the legal staff of the National Association for Advancement of Colored People.

Original sentence of life imprisonment by court martial in the Pacific Area were a few days reduced to 10 and eight years for Fisher and Lorry respectively by War Department action upon an appeal made by Marcantonio and Hastie. The present appeal asks full exoneration.

"The circumstances," says the appeal, "show simply liaison with a woman of loose morals, who, during the tryst, sought seclusion from passersby rather than their assistance, who accepted pay for her favors and who herself never initiated a complaint against them. To characterize this commerce as rape offends common sense even as the punishment imposed denies common justice."

PAROLE IS DENIED TO NEGRO SLAYER

By United Press
MONTGOMERY, Aug. 11.—The State Pardon and Paroles Board has denied parole to Walter Davis, Negro, convicted in Montgomery County in 1937 for first degree murder and sentenced to life imprisonment. **8-11-44**

Davis was charged with the murder of Raymond Mathews, Montgomery police officer, who attempted to arrest him for drunkenness.

The board denied 43 other applications, but during the week of August 2-9 granted the following: Buster Andrews, convicted in Jefferson County for attempt to ravish and sentenced to 10 to 15 years; Reube Pritchett, Tallapoosa, homicide, 15 years; Tillman Cread, Jefferson, burglary, 10 years; D. A. Benton, Montgomery, grand larceny, three to five years; and Florence Daniels, Covington, bigamy, two years.

SCOTTSBORO NEGRO RETURNED TO KILBY

MONTGOMERY, Ala., Sept. 27.—(P)—Clarence Norris, 32-year-old Negro and a principal in the "Scottsboro Case" of 1931 has been

declared "delinquent" and returned to prison after nearly nine months on parole. Alex Smith, chairman of the Alabama Pardon-Parole Board, announced Wednesday.

Judge Smith said the board had "worked and advised with Norris and tried to get him to work." Several days ago the Negro and several friends conferred with the parole group "and he promised to do better," Smith said.

The chairman added that when the Negro left his job with a Montgomery lumber firm Wednesday he was picked up and returned to Kilby Prison. He said paroling authorities of several states had declined to accept Norris for "residence, employment and supervision."

Norris originally received a death sentence, which was commuted to life imprisonment by the late Gov. Bibb Graves. The case grew out of the arrest of nine Negroes accused of attacking two white women while riding a freight train near Scottsboro in 1931.

Sues For \$25,000

Guardian - Boston, Mass.
Donald Lewis, recently found

not guilty of an attack, has brought suit for \$25,000 against the Boston Terminal Company for alleged false arrest, false imprisonment and assault and battery, it was announced this week. **5-20-44**

William S. West, attorney for Donald Lewis, would not discuss the suit beyond confirming reports that the suit had been initiated.

Lewis was arrested last February on charges of Mrs. Thelma Ward (white) of Chattanooga, Tenn., that she was the victim of an attempted assault two years before by Lewis whom she identified in South Station when she saw him passing. Atty. W. S. West successfully defended the young man who was acquitted.

Pardons & Paroles

Denied Right Of Trial; Man Freed In Honolulu

Courier - Pittsburgh, Pa.
9-9-44
HONOLULU (AP)—An argument on the constitutional rights of an American Negro, Fred L. Spurlock, 32, who, in 1942 was sentenced to a five-year term in Oahu prison by a Honolulu provost court judge, freed the man last week and a cancellation of a \$500 bond was effected.

Spurlock on March 24, 1942, was convicted by the court of assault and battery with a dangerous weapon, a knife, and was sentenced to five years in the penitentiary.

Last week Spurlock testified in habeas corpus proceedings that he was sentenced to serve the five years without being tried. His attorney, Brahan Houston, appointed by the court, told the court that it convicted his client, without authority and without constitutional justification. **9-9-44**

The man's freedom came after U. S. Judge J. Frank McLaughlin handed down a 19-page decision in federal court, in which he declared that "the provost court had neither jurisdiction over Spurlock's person nor over the offense with which he was charged."

15-1944

C. E. GREGORY

Atlanta, Ga. Journal
January 14, 1944

Jurors Urged to Make Up Minds

IT WOULD BE beneficial to the cause of justice in Georgia if those who have served on juries or expect to act as jurors some time, would study the annual report of the State Board of Pardons and Paroles. A feature of that report is the announcement that the board has commuted to life imprisonment the death sentences of only five out of 22 condemned men who have pleaded for their lives.

The board has adopted a hands-off policy in commuting any court sentence unless (1) a statement is received from the trial judge certifying that in his opinion the sentence imposed was excessive; (2) when sufficient evidence is submitted to the board to clearly indicate that the sentence is unreasonable and excessive; or (3) whenever it can be shown to the satisfaction of the board that commutation of the sentence would be for the best interest of society and the one convicted.

During the entire year only 16 applications for commutation of sentences less than death met these requirements.

Once upon a time, when pardons and paroles were allegedly peddled around the state, a death sentence did not mean at all that the condemned man would actually die. There was a time when the average length of service for a life term in Georgia was three and a half years. But those days are gone, for a time, at least.

So here is where the jurors come in! On many applications for pardons or paroles filed with the State Board there appear from eight to 12 signatures of the jurors who imposed the sentences.

The Pardon and Parole Board recently turned down the clemency plea of an Augusta Negro who had almost decapitated a white man, walking along the street with his wife, because of a protest against the loud cursing of the Negro in the presence of a white woman.

Eight of the 12 jurors who tried the case signed an application for the commutation of this Negro's sentence and admitted that their judgment might have been warped by racial prejudice or swayed by the argument of counsel. An Augusta newspaper criticized the indecision of the jurors and Chairman Edward Everett, of the State Board of Pardons and Paroles, commented on the case as follows:

"We want jurors to make up their minds finally about the guilt or innocence of defendants before they pass judgment on them, because we are going to uphold the judgments of the courts. This is especially true when human life is involved."

What Mr. Everett means is that a juror should not jeopardize a man's life in a capital case by voting for a conviction because

Paroles & Pardons

two more of the Scottsboro boys Alabama were freed!

Last week's action by the Alabama Board of Pardons does more than highlight the tremendous victory over reaction in this case. Coming now, at the high point of progressive unity thus far reached in this people's war of liberation, it symbolized the still greater triumphs of the democratic forces of the people in the new era of world and domestic relationships which lies immediately ahead.

In the spring of 1931, the Southern Bourbons were confronted with a deepening economic crisis which gave rise to alarming unrest among the white and Negro masses whom they ruled. They sorely needed some dramatic incident to relieve the tension of the white masses, and at the same time to put the Negroes back in their "place." Nine Negro youths pulled from a freight train provided what they thought was the answer to their needs.

"Trumped-up" rape charges were placed against the nine boys. The already developing mob spirit was hastened by calling out the militia. Lynch-trials were held in Scottsboro, while the crowd outside sang: "There'll be a hot time in the old town tonight." Within four days, eight of the boys (all but the 13-year-old, in whose case the jury disagreed) were found guilty and convicted. Death sentences were imposed.

'LEGAL' LYNCHING

The stage was now all set for a mass "legal" lynching. The boys would be ceremoniously killed. Their case would be cited to the world as "evidence" of the bestial nature of the Negro people, as "justification" for their further oppression. The growing unrest of the white masses (who already had been thoroughly poisoned by the virus of race hate) would now be directed to the brutal and wholesale persecution of the Negro people. The threat to the rule of Southern Bourbons would be relieved.

But then, something unexpected happened. Spear-headed by the International Labor Defense (and later, by the joint Scottsboro Defense Committee), the democratic masses began to move. Protest parades and other demonstrations were held, not only in Harlem and other American communities, but throughout the civilized world. Floods of letters and telegrams poured in upon the Governor of

Alabama. Butressed by these protests of the people, expert legal counsel used every device to prevent the planned murder of the Scottsboro boys. Trials and re-trials extended over a period of six years. Time and again, the ILD attorneys appealed to the Alabama Supreme Court—and lost; twice to the U. S. Supreme Court—and won. (Two subsequent appeals were turned down. Alabama courts had learned to "follow the rules.") During recent years, after the dramatic mass protests had subsided and all recourse to the courts had been exhausted, the Scottsboro Defense Committee persisted with its unceasing negotiations for the freedom of the boys.

What are the results of this 13-year (and continuing) struggle? What lessons does it teach?

First, seven of the nine Scottsboro boys are free. Charges against four were dropped in 1937; Charlie Weems was paroled last Nov. 18; and Clarence Norris and Andy Wright were paroled last week. Haywood Patterson and Ozle Powell are still in prison—but they, too, shall be free.

OUTRAGEOUS PLAN

Second, the Negro people and the nation were saved from that wholesale reversion to terrorization and mass persecution which the Scottsboro case was designed to initiate. In the face of overwhelming and world-wide mass protests of the people, even the rules of the South did not dare to carry through their outrageous plan. Third, two basic civil rights were firmly established for the Negro people as a result of ILD appeals to the U. S. Supreme Court: (1) the right to serve on juries, and (2) the right to counsel of one's own choosing. The first of these principles has served as a valid precedent for hundreds of subsequent cases in the legal defense of Negro rights.

FEW HAD FAITH

The Scottsboro case demonstrates, once again, that no democratic goal—however remote it may seem—is beyond the power of the people to achieve. In the dark days of 1931, few had faith when the Communist Party raised the slogan: "The Scottsboro boys shall not die!" The Daily Worker, now justly celebrating 20 years of valiant and effective service to the people, then seemed like a forlorn voice in the wilderness.

But these staunchest fighters for the freedom of the Scottsboro boys played well their role as the vanguard of a people who little realized their own power. In time they came to believe, and then, in unity, to act. The Scottsboro boys did not die.

The task is not yet complete. The three paroled boys must still be relieved of restrictions upon their participation in civilian life. The two boys still in prison must be freed. And they shall!

But more than this: The Negro people as a whole must still be freed from the shackles of jim crowism. They and the overwhelming masses of freedom-loving peoples of our nation and the world must be united in the struggle for that victory and that just and durable peace which are the promise of Tehran.

In this larger struggle, too, the Communist Party and The Daily Worker—now far more mature and strong than in the early days of Scottsboro—will prove to be the staunchest fighters for freedom. In this struggle, too, the democratic power of the people shall triumph.

FREE 2 IN SCOTTSBORO CASE
Times - New York, N.Y.
Members of Parole Board Leave Only 2 of 9 Still in Prison

MONTGOMERY, Ala., Jan. 7 (AP)—Only two of the nine negro youths arrested in the Scottsboro case of 1931 remained in prison today following the paroling of an additional pair.

Of the original nine charged with attacking two white women on a freight train near Scottsboro, Ala., four were released in 1937 in the last of a series of trials. Four others were convicted of rape and a fifth on a charge of attempting to kill an officer during a transfer between jails.

Those paroled yesterday by the State parole board were Andy Wright, 30, of Chattanooga, serving a 99-year sentence, and Clarence Norris, 32, of Warm Springs, Ga., serving a life term. They will be employed in a lumber concern here.

2 Scottsboro Case
World-Telegram
Convicts Released
New York, N.Y.
By the Associated Press.

MONTGOMERY, Ala., Jan. 7.—The State Parole Board yesterday freed two Negroes serving long terms after conviction in the famed Scottsboro case. Those paroled, Andy Wright, 30, serving 99 years, and life-term Clarence Norris, 32, were two of nine youths arrested at Scottsboro, Ala., in 1931 charged with attacking two white women on a freight train. The last of a series of

Lessons of Scottsboro

By Doxey Wilkerson

Daily Worker - New York, N.Y.

1-15-44

"The Scottsboro boys shall not die!" This stirring battle-cry of the past decade set hundreds of thousands of men and women into motion, and demonstrated the power

of united mass action. As our nation and the world contemplate the new vistas of democratic freedom opened up by the historic agreements of Tehran, it is no irrelevance that the goals of the Scottsboro Case now move forward again—still closer to their final achievement. On Jan. 6,



2 More Scottsboro Boys Out. 2 Still in Prison. Paroled yesterday by the Alabama State Parole Board were Andy Wright and Clarence Norris.

Wright and Clarence Norris, two of the original Scottsboro boys who had been languishing in jail since 1931. Charles Weems had been paroled five weeks ago, thus leaving only Ozie Powell and Haywood Patterson still in prison.

Convicted on trumped-up charges of raping two white women on a freight train near Scottsboro, Alabama, nine years ago, a nation-wide campaign to free the innocent Negro youths resulted in the release of four of the imprisoned boys in 1937.

Hailing the release of Wright and Norris as "an important milestone in the historic fight" for freedom of all the victims in the frame-up, the International Labor Defense issued a statement yesterday which pledged a continuance of the campaign for the unconditional freedom of all the victims. 1-8-44

ILD HAILS RELEASE

The ILD statement read: "The hundreds of thousands of people who, since 1931, when the International Labor Defense first undertook the defense of the Scottsboro boys, have carried on the fight for their freedom, will not be satisfied with this victory, however. Two more of the innocent victims of the 'rape' frame-up are still imprisoned. They are Haywood Patterson, sentenced to 75-years, and Ozie Powell, sentenced to 20-years.

"The International Labor Defense, and the people, will not rest until Patterson and Powell are released and until the three paroled defendants are unconditionally freed from parole obligations and permitted to enter into the life of the community without restriction.

"The International Labor Defense condemns the announcement of the Alabama Board of Pardons and Parole that it will not even consider paroling Patterson and Powell for five and three years respectively because of their 'bad prison record.' 1-8-44

"Powell has been a semi-invalid since January 24, 1936, when a trigger-happy deputy sheriff put a bullet in his head while transporting him from the trial at Decatur, Ala. to Birmingham.

"Patterson's 'prison record' is only 'bad' according to those Alabama standards which require a prisoner to take beatings and other brutal mistreatment from prison guards without a murmur of protest. For twelve years, Alabama prison authorities have tried without success to break his spirit. Their failure to do so is no reason to refuse him freedom."

2 More Free In Scottsboro Assault Case

Wright And Norris Are Paroled To Work In Lumber Yard

Two principals who figured in Alabama's "Scottsboro case" of nearly 13 years ago were paroled yesterday by the State Parole Board and have been employed here.

They are Andy Wright, 30, of Chattanooga, serving a 99-year sentence, and Clarence Norris, 32, Warm Springs, Ga., serving a life sentence. His sentence was commuted from death by the late Gov. Bibb Graves.

Wright and Norris are the second and third of the five negroes imprisoned in the case to receive paroles. Charlie Weems, 31, recently was paroled to work in an Atlanta laundry. The two paroled yesterday will work in a lumber concern here. 1-7-44

The case arose in 1931 when nine negro youths were arrested at Scottsboro, Ala., and charged with attacking two white women while riding a freight train as hoboes out of Chattanooga.

The negroes were jailed and faced trial several times. A final trial in 1937 released four and imprisoned five, four charged with rape and one with attempting to kill an officer in a transfer between jails.

One remaining in prison is Ozie Powell, 28, of Atlanta, under a 20-year sentence charged with assaulting the officer. He would not be considered for parole before 1946, the board said.

The other remaining is Haywood Patterson, 29, Chattanooga, under a 75-year sentence. His case would not come up for parole consideration before 1948 on the basis of his prison conduct, the board said.

Weems, recently paroled to work in Atlanta, is under supervision of the Georgia State Parole Board, while Norris and Wright will be supervised by the Alabama Parole Board.

The Alabama parole authorities said supervision for Norris and Wright had been denied by parole officials of New York, Michigan, Ohio and Tennessee in previous attempts to place the prisoners in jobs. 1-7-44

Among other parolees in a list of eight were:

Frank Davis, convicted in Jefferson County on a robbery charge and sentenced to 10 years; James I. Thomas, Jefferson, homicide, 50 years; A. W. Fayett, Jef-

erson, robbery, 12 years.

Two Scottsboro Boys Paroled; Two Still In Prison

MONTGOMERY, Ala. — Alabama parole board officials have been credited with the statement that they will not consider the parole of Haywood Patterson and Ozie Powell, only two of the original "Scottsboro Boys" still confined in prison, for five and three years respectively because of their "bad prison record."

Freedom for two more of the nine was granted by the board last Friday when Clarence Norris and Andy Wright were ordered released from prison to work in a local lumber mill.

Last November Charlie Weems was paroled to work in a Montgomery laundry.

Four of the men were freed in July, 1937, after a series of trials growing out of charges that the nine raped two white women on a freight train on March 31, 1931.

POWELL SHOT

At the same time the rape charges against Powell were dropped, but he was charged with assaulting a deputy sheriff who shot him in the head. According to the International Labor Defense, which handled the early trials and later joined the Scottsboro Defense Committee, now conducting the case, Powell has been a semi-invalid since the January 24, 1936 shooting. 1-15-44

In a prepared statement this week the ILD asked for the immediate freedom of Patterson, now under a sentence of 75 years, and Powell, who is serving 20 years, and the lifting of parole restrictions of the three

ALABAMA RELENTING

RELEASE of two more of the Scottsboro boys on parole last week brings to the total of seven the number of these innocent youths who were arrested in March, 1931 on "rape" frame-up charges. Only two of the nine boys originally arrested now languish in Alabama prisons and the International Labor Defense has announced that it will not cease fighting until the last two boys are also released, and the freedom of all the boys is unconditional. 1-15-44

In announcing the release of the latest two Scottsboro boys, the I. L. D. said:

"Release of Clarence Norris and Andy Wright, two of the Scottsboro boys, on parole, marks an important milestone in the still unfinished historic fight against this frame-up which began on March 31, 1931.

"Norris, sentence to life imprisonment, and Wright, sentenced to 99 years, were paroled on January 6. On November 18, 1943, Charles Weems, sentenced to 75 years, was released also on parole.

"The hundreds of thousands of people who, since 1931, when the International Labor Defense first undertook the defense of the Scottsboro boys, have carried on the fight for their freedom, will not be satisfied with this victory, however. Two more of the innocent victims of the 'rape' frame-up are still imprisoned. They are Haywood Patterson, sentenced to 75 years, and Ozzie Powell, sentenced to 20 years.

"The International Labor Defense, and the people, will not rest until Patterson and Powell are released and until the three paroled defendants are unconditionally freed from parole obligations and permitted to enter into the life of the community without restriction.

"The International Labor Defense condemns the announcement of the Alabama Board of Pardons and Paroles that it will not even consider paroling Patterson and Powell for five and three years respectively because of their 'bad prison record'. 1-15-44

"Powell has been a semi-invalid since January 24, 1936, when a trigger-happy deputy sheriff put a bullet in his head while transporting him from the trial at Decatur, Alabama, to Birmingham. Patterson's 'prison record' is only 'bad' according to those Alabama standards which require a prisoner to take beatings and other brutal mistreatment from prison guards without a murmur of protest. For twelve years Alabama prison au-

thorities have tried without success to break sentences and those who were released, was this case has caused justice in this country to be rendered suspect at home and abroad.

"The defense of the Scottsboro boys was

to refuse him freedom.

"On July 24, 1937, after six years of trials conducted by the International Labor Defense and imprisonment, the charges against four for the first five years of the case, during of the original nine defendants were dropped which two United States Supreme Court re- These four were Roy Wright, Eugene Williams of death sentences were won. Since liams, and Olen Montgomery. At the same December of 1935, the conduct of the case time the 'rape' charge against Ozie Powell has been in the hands of the Scottsboro De- was also dropped but he was sentenced to life imprisonment, of which the Rev. Alan twenty years imprisonment on a charge of 'assaulting' the deputy sheriff who shot him and the International Labor Defense a mem- The 'rape' testimony against all nine Scottsboro boys, together with other organizations."

The conduct of the State of Alabama in

Police Brutality

Acquit 2 Policemen Who Brutally Beat Ft. Benning Soldier

Officers Claim Youth Had Resisted Arrest

12-29-44
FORT BENNING, Ga. — (ANP) — Two white police officers were exonerated last week for the brutal beating of Cpl. Clarence Stephens, 18th company, 3rd battalion, reception center here. The two police officers belonged to the Columbus, Ga., police force and their exoneration followed an investigation into the sentencing of Cpl. Stephens to 40 days for disorderly conduct when the soldier was arrested in a white neighborhood of Columbus after a white woman had reported she had been chased two blocks by a Negro soldier.

Cpl. Stephens was walking with a colored girl when he was arrested, the police testified, but the girl denied knowing him and stated he had stopped and asked permission to walk with her. The arresting officers, Slay and Martin, said they put Stephens in a police car and attempted to take him to the police station when he "grabbed both of Slay's arms and kicked him in the stomach and chest with his feet, attempting to jump from the car."

12/29/44
Further testimony by police charged that Stephens "broke away from the police and started to run" when they arrived at police headquarters, "whereupon other members of the police joined in the chase in the street and around the building, eventually recapturing him." In the melee, Stephens was struck several times on the head, police officers testified. They denied using any more force on Stephens than was "necessary."

Cpl. Stephens, who served 30 days of his 40-day sentence was present at hearing before the city commission but his statements were not given to the press. He "was given an opportunity to make a complete statement of his version of the arrest," said Brig. Gen. Wil-

Shreveport Cops Answer \$10,000 Suit For Damages

11-18-44
SHREVEPORT. — Answer was filed in United States District Court this week to the \$10,000 damages suit filed by Mrs. Mabel White, of California, on March 3, 1944, against Charles Perry and Conway Baker, members of the Shreveport Police department, alleging that they had beaten her while she was in their custody on January 14, 1943.

In the answer to the suit, the policemen denied beating Mrs. White, however, admitted taking her into their custody in the capacity of officers of the law and Police patrolmen of the City of Shreveport, Louisiana. It is specifically denied that the defendants struck Mrs. White on the head with their fists or a club and it is denied that they struck her in her eye and ears with their fists while enroute to the police station, the reply stated.

11-18-44
It is further stated in the reply that "the defendants brought the plaintiff to the police station or jail headquarters, wherein she was incarcerated, after being placed under a charge of assault and shooting at with intent to kill, on which charge she was later convicted and received a sentence of six (6) months. That the call wherein defendant was in response to a call for help made to the police department and was answered by Officers Baker and Perry, defendants in this cause, that the trouble or cause for the call was one wherein plaintiff was involved in a shooting affair, wherein she shot at and fired a pistol at a man, alleged to be her husband."

Woman Reported Beaten By Police of U. City

12-29-44
The NAACP grievance committee is expected to investigate the alleged third degree given Mrs. Betty Jean Foster, 34 year old wife of an army man by University City Police Sunday. The woman was reported arrested in connection with the disappearance of a valuable ring at the home of an employer in the 7200 block of Westmoreland place. The police were reported to have beaten her severely in an effort to make her confess knowledge of the missing ring.

The bus was crowded with white servicemen and civilians of both races, including the wounded colored veteran. A white military policeman on the bus had an argument with some of the white soldiers and they beat him. When the bus stopped at Five Points, near the center of the town, the M.P. called to some civilian police who rushed to his aid.

The M.P. began to tell the policemen how he had been attacked by the soldiers, but without waiting to hear the details, the civilian officers began manhandling the wounded Negro veteran.

The M.P. hastened to explain it was the white soldiers, not the Negro, who had attacked him, to which the Georgia officers replied: "No harm done. The Negro needed meating, anyhow."

Soldier Beaten by White Ala. Cop

6-24-44
MAXWELL FIELD, Ala. — A story of the brutal beating of a Washington soldier by a white civilian policeman in Montgomery, Ala., was revealed by soldiers here this week.

In a letter to the AFRO, the soldiers said that the policeman entered the home of the victim's girl friend, June 12, ordered him out, and then beat him for no apparent reason.

Hearing Nearly Lost
As a result the soldier has almost completely lost hearing in one ear, the letter says. "You must think that you're in Chicago or somewhere up North," the cop was quoted as saying. "No sir, I'm from Georgia," replied the soldier, hoping the cop would let him go.

Probe Promised
The day following this incident, the soldiers said they were told by their commanding officer that an investigation was being made. They pointed out that Southern MP's are used in Montgomery and that they stand by and watch, and sometimes help, civilian policemen to beat colored service men. Montgomery is frequented by soldiers from Maxwell Field, Gunter Field and Tuskegee Army Air Corps.

Georgia Police Beat Wounded Negro War

11-18-44
Veteran
HAD SERVED 18 MONTHS
OVERSEAS

Offense Occurs On Thanksgiving
ROME, Ga. — A wounded Negro war veteran on crutches, who was recently sent back to this country after serving eighteen months overseas, was severely beaten by white civilian police, while he was a passenger on a city bus here at about 10:30 Thanksgiving night, Nov. 30. He had committed no offense.

Camp Lee Sgt. Tried to Save 2 Buddies

Afro-American, Balt., Md.

Tension High in Petersburg Over Abuse by Cops; Execution Pending

PETERSBURG. — The resentment of Camp Lee soldiers and Petersburg citizens of police treatment is at a high water mark and is likely to continue until the hanging on November 16 of a colored vagrant convicted of killing a white policeman.

Attorneys for the condemned man took his case to the Virginia Supreme Court where a new trial was refused.

The court, however, criticized the handling of prisoners by Petersburg police. It said that there is no call box on Halifax Street in the colored neighborhood and a fire house is used instead.

However, when police take a prisoner into the fire house in some cases he is given a "going over."

White Cop Beaten, Too

A white policeman was similarly treated by Petersburg cops recently.

Serving to add fuel to the already seething flames of unrest was the shooting, Friday night, of

Sgt. Abraham L. Jackson, 23, of Washington, attached to the 28th Quartermaster Training Company, who was wounded seriously by Officer Talbert F. Pierce of the Petersburg police force.

According to public relations spokesmen at Camp Lee, Jackson was shot by the officer when he attempted to rescue two fellow soldiers from a patrol wagon guarded by Pierce.

Police contend that Jackson attacked the officer with a knife on Halifax Street and that the officer then fired on the soldier. Soldiers who witnessed the shooting said the knife was a fingernail knife.

Sergeant Jackson was taken to the Army Service Forces Regional Hospital at Camp Lee, where an Army spokesman said he is hovering between life and death.

Disturbance Follows Arrest

The disturbance began after Petersburg policeman arrested a colored soldier for an alleged assault upon a colored woman and took him to the fire house. A crowd quickly collected and the soldier was slipped out the back way while the crowd was in the front.

The crowd believed this was done because cops had beaten this soldier, too.

Pvt. Bernard Spivey stopped the police as they came out the rear entrance to ask what was the trouble and Spivey was arrested, too. Both men were put in a patrol wagon.

Tries to Rescue Buddies

Then came Sergeant Washington. He, too, wanted to know what was wrong and when he didn't receive a satisfactory explanation attempted to rescue his two buddies.

Grady L. Montgomery, who was arrested during the same disorder was sentenced to 30 days for resisting arrest.

Four weeks ago, two Camp Lee soldiers were cited to police court here after being involved in a dispute with Petersburg policemen.

According to public relations there is no segregation on buses entering and leaving Camp Lee in keeping with the government's recent order and representatives of the camp have had weekly talks with the chief of police and bus drivers in an effort to preserve peaceful relations.

Meanwhile, battalion commanders, insisting that the version of the shooting given on Saturday was correct, have asked all non-commissioned officers to help avert trouble.

15-1944

Soldier Tells Of Beating By DeKalb Police Officer

Daily World - Atlanta, Ga.
3-31-44

Last witness for the United States Government Thursday in the trial of Police Chief J. T. Dailey of the DeKalb county police force, and three of his officers Lieutenant Ben Hensler, and Patrolmen J. C. Holbrook and C. L. Visscher, charged in criminal informations in Federal Court with violations of the civil liberty rights of two, was a corporal the United States Army, stationed at Avon Park, Florida.

The serviceman was Cpl. Willie Lee Strong, of Atlanta, who told of mistreatment at the hands of DeKalb County police officers, mainly Officer Hensler during 1939, when he claimed he was arrested under false pretenses, taken to the courthouse and jail at Decatur, where he was beaten by Hensler and other officers until he signed a confession to a crime he declared he did not commit.

KNOCKED ON FLOOR
Strong stated that he was knocked out of a chair to the floor of the room where he was questioned, after being beaten, and that he was kicked while he was down. He stated that Hensler was the officer who assailed him. The corporal testified that the beatings and brutality occurred while the DeKalb officers questioned him on a charge of public indecency, on which he was convicted and sentenced to serve 18 months.

The young soldier, 21 years old, declared that he was in a dazed condition after being slapped from the chair, and that when he got up he signed the confession which was later used against him. He added that one confession offered to him to sign was torn up by Officer Hensler, when he continued to sign. Following the questioning of Strong for the second time by the defense, a motion was made by the assistant District Attorney, who again before he signed it in his apparent dazed condition. The soldier denied that he was guilty of the charge.

The four officers, in the informations filed in December, 1943, state that the officers on trial maltreated Raymond Rouser, 25, and Miss Naomi Reid, 26, in endeavors to force confessions from them relative to the burglary of a night club on the new Macon highway on the night of October, 1943. The criminal informations were filed by District Attorney Andrews, it was learned.

Police Brutality

reported his beating by the DeKalb officers to Commissioner Candler, who is head of the DeKalb County police force, but that he heard no further from his complaint.

Second defense witness was Solicitor General Roy T. Leathers, of the Stone Mountain circuit, who testified that he had not received any complaints from anyone as to mistreatment of prisoners by the DeKalb police officers.

While Mr. Leathers was still on the stand the trial was adjourned Thursday until Monday morning at 10 o'clock.

De Kalb Officers Deny Beating Duo

Daily World - Atlanta, Ga.
4-6-44

Chief of Police J. T. Dailey of the DeKalb County force and three officers who served under him, Lt. Ben Hensler, and Patrolmen J. C. Holbrook and C. L. Visscher, who are on trial for violation of the civil liberty rights of two Negro Atlantans, took the witness stand Wednesday in their own behalf in Federal District Court.

Charged with beating Miss Naomi Reid, 26, and Raymond Rouser, 25, last October, all four of the officers, stated that they did not beat Rouser or the Reid girl last October 21st, in an effort to obtain confessions from them relative to a supper club burglary on the new Macon highway, which the two Negroes were charged with.

RIGID CROSS-EXAMS
The officers in addition to emphatically denying that they beat the Negroes stated that they did not have anything to do with brutality to almost 10 other persons who testified at earlier hearings that they were beaten by Dailey and his officers. These previous witnesses stated that they were beaten under investigation for various crimes. The four officers were subjected to the most rigid cross-examination by Raymond Martin, assistant District Attorney, who is prosecuting. Presiding Judge E. Marvin Underwood, who is presiding at the trial, took under advisement the motion, and will make a ruling later.

Martin used every means at his command to break down the testimony given by the police officers. Chief Dailey was the first to take the stand. He denied that Attorney William Schley Howard, Rouser's lawyer, had ever asked him to see Rouser, while Rouser was in the DeKalb jail. Dailey also stated that one time when Howard came to the jail Rouser was only a short distance from him in a detention room.

When asked if the victims had been prosecuted, Dailey stated that he had not. He was then asked why and he said that he was never able to have Rouser and the Reid woman appear before a jury. Hensler, Visscher and Holbrook made practically the same story from the stand as their chief, all denying that they had ever beaten Rouser, the Reid girl or any prisoners.

GWIN SAID HE BEAT GIRL

The officers further intimated that the beatings to Rouser and

the Reid girl were inflicted by Gwin, who has already testified that he beat the girl after the robbery of his club. Hensler added that he at no time used a stick, a blackjack or his hands to beat the two victims.

He added during cross-examination that the statements he got from Gwin and the Reid woman were secured after the FBI started to make its investigation into the beatings. The statements intend to say that Gwin beat the girl with a stick after she had confessed to robbing the place of business where she was employed at that time. Hensler also testified that he saw a fight between Rouser and another Negro prisoner in a cell in the jail several days after he was locked up. All along the defense attorneys have contended that Rouser was beaten in jail by a prisoner and not the officers.

All questions as to their part in the beatings have been firmly denied by all four of the policemen.

Interracial Group Pledges Police Probe

Daily Worker - New York
5-12-44

The two Negro women who were beaten by policemen the evening of April 30 near Gates and Tompkins Aves., Brooklyn, got the pledge of the Brooklyn Interracial Assembly last night to continue its investigation and to follow it with appropriate action.

The women, Mrs. Elsie Davis, 555 Gates Ave., and Miss Helen Clayton, Monroe St., Brooklyn, appeared before the Interracial Assembly by invitation of a committee appointed to investigate the beatings and to bring in a report.

Brutality Trial Nears Jury In Federal Court

Daily World - Atlanta, Ga.
4-7-44

Acts of brutality and gruesome horror were described Thursday as having been practiced on prisoners by Police Joseph T. Dailey of the DeKalb County Police Department, and three of the officers who work under his jurisdiction, who are now on trial in Federal District Court here on criminal informations filed by United States District Attorney Neil Andrews of the Northern District of Georgia, who is prosecuting with his Assistant, Raymond Martin.

On trial with Chief Dailey are Lieutenant Ben Hensler, and Patrolmen J. C. Holbrook and C. L. Visscher, all who have faced a Federal Court jury sitting before Judge E. Marvin Underwood for

the men charged with beating Raymond Rouser, 25, and Miss Naomi Reid, 26, both Negro Atlantans, after the pair had been arrested in connection with the burglary of a supper club on the new Macon highway. In going into his argument Martin unfolded what he claimed to be the exact story of the beatings in the DeKalb County jail, and in other places in the county, which evidence was presented by witnesses for the government during its prosecution of these police officers, and spoke at length about the credibility of the large numbers of witnesses put on the stand by him and Mr. Andrews. The major portion of Thursday's hearing was consumed in rebuttal by witnesses already called and by cross-examinations and

BEATINGS DESCRIBED

Describing the beatings of Rouser and the Reid girl, Martin said that he made the opening prosecution argument Thursday shortly after dinner was Assistant District Attorney Martin, who, after reading the criminal informations filed against the defendants, and making a brief explanation of the charges, led with the story to bring in

...ner calls of government witnesses who had not been used to testify. The defense also placed defendants on the stand, one of these being Patrolman Holbrook, who testified concerning a collateral matter involving Rouser in the alleged burglary of last October 21st.

reach the jury late today or early Monday, it was revealed, following defense arguments to the jury, and another probable argument by Mr. Andrews.

Miss. Sheriff, Jailer Named

Daily World-Atlanta, Ga.

3-30-44

WASHINGTON — (ANP) — The department of justice announced Wednesday that a federal grand jury in Oxford, Miss., had returned an indictment charging the sheriff, jailer and three citizens of Lowndes County, Miss., with conspiring to deprive Negro prisoners of their civil rights by whipping, beating and otherwise mistreating them to obtain confessions of a crime.

Named as defendants in the indictment were William Jacob Propst, sheriff; William Luther Cole, jailer; and James Ambrose McCrary Jr., J. Ellis McCrary and J. Flem Goolsby, all of Lowndes county.

The indictment charged that between June 26 and July 29, 1943, the defendants conspired to commit an offense against the United States by depriving six Negro prisoners of their civil rights, in violation of Section 88, Title 18, United States code, maximum penalty under this statute is a fine of \$10,000 or imprisonment for two years or both.

A second indictment returned by the grand jury on March 23 charges Propst and Cole on two counts with whipping and beating two other Negro prisoners in order to obtain confessions, in violation of Section 52, Title 18 U.S. code (civil rights statute). The maximum penalty under this statute is one year imprisonment and a \$1,000 fine, on each count.

The cases were presented to the grand jury, following an investigation by the Federal Bureau of Investigation, by Asst. U. S. Atty. Charles L. Sumners, under the direction of Asst. Atty. Gen. Tom C. Clark, in charge of the criminal division.

Following these legal technicalities and the ruling by the judge, the defense rested, and first witness called by the government was Woodrow Troy, alias Tory, whom the defense argued had had a fight in jail with Rouser and that Rouser received scars and bruises through that manner and not the officers on trial. Troy told the jury that he had met Rouser in jail after he (Troy) had been placed there on a drunken charge, but that they had no fight or any other misunderstandings.

Recalled to the stand by the government was Willie Davis, Negro, who told the jury last week that he was beaten in the DeKalb jail while a prisoner there some months ago. He was asked by the government whether he had fallen or jumped and sustained injuries during that period, and while fleeing from police officers. He said no, he had not. He said that the injuries shown then were inflicted by the police officers at the time of his incarceration in the DeKalb jailhouse. He further stated that he had reported the beatings to Scott Candler, DeKalb County Commissioner, and to Roy Leathers, Solicitor General of the Stone Mountain circuit of Superior court, at which time he said both officials promised to make an investigation. He said he heard nothing from these men.

REPORTED BEATINGS
This testimony as to Davis' reporting his beating to Candler and Leathers was further substantiated by R. S. Sams, a former employee, and a farmer at Clarkston, who stated that he went to both officials with Davis to report the injuries.

Another white person called to testify for the government was Miss Helen G. Foster, religious worker, who paid visits often, she said, to the DeKalb jail, "in efforts to bring men and women to God." She said that she saw the beaten four white lads, and also Edwards, all who claimed that officers had beaten them. All four of the white boys have previously testified that they were maltreated in the jail there.

Following these testimonies the defense made an attempt to have a motion passed on directed verdict favorably absolving Dailey of the beating of Rouser, but the motion was denied by Judge Underwood after Prosecutor Andrews made repeated strenuous objections.

The trial recessed at 2 o'clock to be resumed again today beginning at 10 o'clock. The case may

Dixie City Nixes Cop for Brutality

Richmond (ANP) — Police brutality to Lawrence Turpin, a barber arrested for a misdemeanor last September, resulted in the dismissal of Patrolman W. P. Blanton last week.

Turpin was fined \$25 in police court and given a 12 months' suspended sentence but appealed his case. He was exonerated after two jury trials.

Charges were made against the three police officers who arrested Turpin to the chief of police. All three were tried by the police captain's court and two were exonerated. The decision of the court was upheld by the director of safety, Baroff, after a conference with Turpin's lawyer, Spottswood Robinson III, member of the faculty of Howard University law school.

Police Deny Any Mistreatment Of Prisoner to Force Confession of Crime

Register, San Antonio, Texas, May 26, 1944

WITH San Antonio police officers being accused of brutally beating a prisoner they suspected of rape and murder, but who was subsequently released without bond, and with a local newspaper being scored for over-emphasizing the color angle investigations are being continued in the death of Mrs. Mary Lou Lowery, 37, white, of 228 Victoria street, who was found dying late Saturday night in an elevator of the Hicks building, 100 block Broadway.

Taken into custody, Monday, in an effort to get connection with the case was Cedric "Honny" Horton, 30, with one interested R. S. Hollingsworth, local paper playing up the story with an eight column "Negro" headline and leading the story with the allegation that "the Negro" had assaulted in commenting on the alleged police the "white woman" and beaten her brutality, declared: to death in the elevator.

It then gave a lurid account of how it thought the crime had been committed, and quoted a police officer as saying, "there was no doubt that the woman had been raped." Laboratory examination revealed that she had not been raped. Horton was released Tuesday morning without bond, by Judge W. W. McCrory of criminal district court, who, after a hearing, declared: "I don't think we've got a case. I'm going to release this man."

Assistant District Attorney L. J. Gittinger referred to the newspaper stories, and inquired: "Well, how about these newspaper stories about rape and murder?" To this query, McCrory replied: "They just put that stuff in so they can sell the papers, that's all." It was also charged at this time

penalty for such action being immediate dismissal from the force.

Wild Party

Investigation has shown that Mrs. Lowery, two other women, and two men, had somehow, gained entrance to an insurance office, where they indulged in much drinking, with the revelers all becoming quite drunk. During the course of the party, Horton was admittedly invited to have a drink.

Concerning the woman's death, Horton said that about 11 o'clock he carried the three women and a man to the first floor, where Miss Lowery discovered her wrist watch was missing. After convincing them that he did not have it, the man told Horton to take the woman back up stairs to look for the watch. Horton said that when he reached the second floor, he noticed that the woman had fallen forward, striking her head, and with her arm going through the wire mesh.

Horton said he realized the woman was "pretty bad off" and that he got down on his knees and said: "Oh, miss, please don't die," and then went downstairs and called his mother.

Horton was a parolee from the state penitentiary. He fatally shot his common-law wife, Mrs. Evelyn Williams, 28, in February, 1941, when he discovered her in bed with another man, whom he also shot. Horton was sentenced to four years for "murder without malice," and paroled after serving two years.

Dismiss Richmond Police For Beating Colored Man

Richmond (ANP) — Police brutality to Lawrence Turpin, a barber who was arrested for a misdemeanor last September, resulted in the dismissal of Patrolman W. P. Blanton recently.

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DESCRIBE GEORGIA POLICE BRUTALITY

ATLANTA (ANP) — The face of his police department, Chief J. T. Dailey and three members of his police department, charged with violating the civil liberties of Mrs. Naomi Reid was described here Wednesday as "one huge, swollen, red mass of bruises" by the first witness to the stand against DeKalb Police pair when they were being held.

got, and you wouldn't quit it? At that point both began beating me.

(Other questions followed)

7. You are going to meet Dr. Williams somewhere on the highway tonight. He will be able to patch you up.

"Before we turn you loose nigger, we want the truth. Tell me," said Gus Walker as he looked on a strip of paper after ordering the other man to strike a match. "Who else is responsible for the niggers to be organized in New Iberia besides Lilly, your woman Frenzella Volter, a barber named Drown, and Dr. Dorsey? We are going to get those niggers tomorrow night.

The approaching car was very near us then. I was ordered in the back of the car and to stay low. After the car passed, I was ordered out. The handcuffs were removed. I was told to walk to highway 90 and after getting there run until I was tired then continue walking until I was out of the state of Louisiana. If ever I was seen in New Iberia or Louisiana, I would be killed.

Signed. HERMAN J. FAULK

J. Leo Hardy, president. New Iberia Branch. NAACP: Monday May 15 two deputies from the sheriff's office—the sheriff's name Mr. Gilbert Ozenne. Iberia Parish came to the welding school where I was enrolled in New Iberia, La. about 2:45 p.m. and asked the colored instructor, Mr. Roy Palmer if Joe Hardy was there. The instructor said he had a Leo Hardy so he called me out to the front. I thought the two men were insurance men. One of them asked me if my name was Joe Hardy and I told him my name was Leo Hardy but my full name was Joseph Leothe Hardy, so one of them said, "You are the one we want. We are officers come with us."

They took me down to the sheriff's office and when he opened the door to the sheriff's private office the superintendent of the Iberia Parish Schools, Mr. Lloyd G. Porter, was sitting at a desk, he stopped the car; then the deputy on one side and the sheriff on the other side.

The first question Mr. Ozenne asked me did I know who he was in a very belligerent voice. I tried to be calm and asked him are you not Sheriff? He began by stating that I had been writing to Mr. Porter and we don't like it, considered it an insult. I answered meekly, I was only seeking information and if Mr. Porter considered it an insult I was sorry and apologized. He, the sheriff, ranted, threatened the whole Negro race and attacked the objectives of the NAACP.

Then Mr. Porter, the superintendent of schools, spoke his piece—he did not want me to write any more letters to the President's FEPC—the WMC or any other outsiders. He would name the hours the welding school would operate and no one could prevent him not even the President. He said he could close the school if he choose. When I answered, yes sir, he stopped and called me a s--- of a b--- and you are saying, yes sir, but deep down in your heart you could cut my throat.

He said he had a good mind to get on you now, but I am getting old and do not want to fight, and he had a good mind to send for his brother and kill me. He wound up by telling the sheriff I was the organizer of the Negroes to overthrow the whites and he had a good mind to order me out of town. The sheriff told him it was up to you, Mr. Porter. Mr. Porter pretended to hesitate, then said, make him leave town. The sheriff then gave me till 8 o'clock the next day. I told him I had a little money in the bank and the bank would not open before nine a.m. He extended my stay until 10 a.m. May 16.

(Hardy then tells how he was unable to leave town by 10 next morning and then continues): About 8:05 p.m. four deputies, about one block from my house, stopped a car and told me to get in; they took me to the sheriff's office and there were two more and the sheriff became enraged and began to use a deal of abusive language; he began slapping me on both sides of the face; then using his fist very forcefully—kicking me two or three times. . . . All of this beating was in the sheriff's office. They put me in one of the cells on the fourth floor of the Iberia Courthouse I presume. They kept me there about 40 or 50 minutes; then the night jailer called me and opened the cell door and I got on the elevator and he carried me to the basement and up to the surface to an automobile and they drove me out on a gravel road about a mile from New Iberia and stopped the car; then the deputy that was sitting on the back seat with me, six feet two weight about 225 pounds, took my necktie and hit me in the face three or four times very hard; then I was told to walk and walk fast, after I was about fifteen yards away one of them shot his pistol.

They followed me for more than a mile. I walking and they riding and telling me not to look back or ever to come back to New Iberia. I walked about two more miles and had a chance to call one of my friends who took me to Lafayette where I spent the night and the next morning my wife sent me some clothes. My other clothes were very bloody. . . .

(Signed) J. LEO HARDY

Dr. Ima G. Pierson: On Wednesday, May 17, between 8 and 9 o'clock p.m., while walking on Field St., three white men in a gray or buff colored Plymouth sedan stopped me to inquire. "Are you Dr. Pierson?"

I replied, "Yes, this is Dr. Pierson."

One of the three, known to be a deputy sheriff named Walker, said, "We are from the FBI and would like to question you about the trouble between the white people and the colored people in New Iberia."

I was shoved into the car, ordered to raise my hands and searched . . . then driven out of New Iberia up the Southern Pacific railroad . . . was ordered to get out of the car and the three men, Deputies Walker, Broussard and an unknown man, struck me several times with their fists and once with the pistol. . . . I was told to start walking and if I returned to New Iberia, I would be shot on sight.

(Signed) DR. IMA G. PIERSON

Dr. Luins H. Williams: On Wednesday, between the hours of 9 and 10 o'clock p.m., while about to enter my automobile on West Madison and Providence Sts., I was approached by two white men with drawn revolvers and was ordered to get into their car where there was a third person. . . . I was searched and driven west out of New Iberia up the Southern Pacific railroad. . . . I was ordered out of the car and struck several times with a loaded stick while one of the men held a revolver on me. . . . I was told to leave town at once. . . . I went to Lafayette, Ga. The car into which I was forced was a Plymouth sedan. . . .

(Signed) DR. LUINS H. WILLIAMS

New Iberia Authorities Conceal Story Of Worst Anti-Negro Flare-Up in Years

Mayor Admits 'Rumors' But Sheriff Flatly Denies Anything Happened

By ELIZABETH WILSON

Special Correspondent

NEW IBERIA, La., June 17.—All of New Iberia today seemed united to conceal the details of the worst anti-Negro flare-up this town has witnessed in many years.

Wary-eyed white men in the shady Southern community evade direct questions and deny that they know anything of the affair, while scared Negroes, in fear of similar physical violence, refuse to tell what they have seen happening to their fellows.

The mayor admits that he has heard "rumors" of the beating and clubbing of two Negro physicians, Dr. I. A. Pierson and Dr. L. H. Williams; a teacher, H. J. Faulk, and Leo Hardy, president of the local branch of NAACP, but protests that it is "none of his affair."

The Mayor Speaks

At the same time Sheriff Gilbert Ozenne of Iberia parish (county) also says he's heard "rumors," but denied that they are true.

Several Negroes admit that the beatings have occurred, and that the Negro community was left without medical care as a result of the ejection of every Negro physician and dentist in the town, but they express a desire to let the matter drop rather than suffer future indignities at the hands of their "white masters."

New Iberia's houses are a crazy quilt of old southern colonial, the gingerbread era and extreme modernism. Most of the streets are graveled, and paved streets are used as landmarks in giving directions.

The office of Mayor William Lourd is in the new modernistic City Hall. It's easy to get into his office, which is simply furnished.

When I walked in, the Mayor was sitting at his desk in shirt sleeves, signing city payroll checks. He is a dark-skinned, spectacled, mild-mannered man who speaks with the soft "Cajun" accent of most of New Iberia's residents.

"Yes, I've heard rumors on the street of the beating of some Negroes," he said. "I'll give you the background. About a year ago the Negroes started organizing a branch of the NAACP. They sent me an invitation to their first meeting, enclosing a pamphlet setting forth

the aims of the NAACP. "After a meeting with the law enforcement officers here, I decided not to attend, but instead to call a meeting of the board of directors of NAACP here and discourage organization.

Believes It Happened

"I did this, but they organized anyhow. The law enforcement officers and I agreed to meet whenever anything came up on this, and decide together what we should do. If these Negroes were beaten and run out of town, it was done without my knowledge and without such a meeting being held."

"Other people have denied to me that this happened," I said. "Do you believe it did?"

"Yes, I do," he admitted. "Have you investigated?" I queried.

"No, I have not," he replied. "This was an action taken by the sheriff's office and I had nothing to do with it. The sheriff's office is separate and apart from the city police."

"Don't you think you should know?"

"I see no reason why I should," he stated.

"Isn't it true that the ejection of these Negro physicians has left the Negroes of your city without adequate medical care?"

"I suppose so," he said. "At least that's what I've heard."

"In that case, isn't the health of the Negroes of New Iberia of any concern to you? Doesn't that make it your affair?"

"The health of the Negro community is under the jurisdiction of the State Board of Health," he asserted. "I have nothing to do with it. It's none of my business."



Men such as this one are these Negroes? "I don't know," he replied. "Who would be responsible for finding out?" "I don't know. I understand the FBI has been notified, but that's only hearsay. I was told some niggers had reported it to the FBI." "Are Police Responsible?" "No, not even they have," he said. "Since this happened in the city and of New Iberia, wouldn't city police punish the people who attacked them?" "Then nobody has," I said. "That's right," he stated emphatically. "He then told me that he couldn't give me any more information. He had already told me all he knew."

RANDOLPH HITS POLICE BRUTALITY AND TERRORISM IN JACKSONVILLE

JACKSONVILLE, Fla. — Before 2000 Negroes, assembled in the Ebenezer Methodist Church here March 14. A. Philip Randolph, international president of the Brotherhood of Sleeping Car Porters and national director of the March on Washington Movement in a stirring address, denounced police brutality in Jacksonville with special reference to the recent beating of John Brodnax, a well known and prominent Negro businessman who owns and operates an auto oil station at State and Davis Sts., by two white policemen.

Negroes are greatly aroused and alarmed over this incident and a general condition of police terrorism against Negro citizens, educated and uneducated, big and little, rich and poor. A constant shadow of fear hangs over the Negro community. Negro men and women are afraid to go out of their homes at night because of the probability of being interfered with, beaten up, and taken down to the police station and beaten up by the police, states Randolph, who together with M. P. Webster, first international vice-president, visited Jacksonville on behalf of the Pullman porters, train porters, car cleaners and colored locomotive firemen.

Mr. Randolph told the Negroes of Jacksonville that they should get up off their knees, get the fear out of their hearts and protest against this police brutality to the mayor, sheriff and city council of Jacksonville, the governor and U. S. Senators of Florida, and then to the U. S. Attorney general of the U. S. Department of Justice, and demand that an immediate investigation of police attacks on Negroes be made to the end of stopping the outrage.

At a public mass meeting at which Mr. Randolph and Mr. Webster, the latter also a member of the Presidents' Committee Fair Employment Practice

spoke, a resolution was adopted condemning police brutality, and calling upon all Negro organizations, including trade unions, churches, fraternal, social, civic, teachers, doctors and lawyers' as well as individuals to sign and support the resolution which will be sent to the city officials and broadcasted widely among the citizens.

Jury Acquits Police Accused Of Brutality

A jury, sitting in Federal District Court the past three weeks, freed Police Chief Joseph T. Dailey of the DeKalb County Police Department, and three of his subordinate officers Friday afternoon on charges of violating the civil rights of two Atlantans. It took the jury three hours to arrive at the verdict. Chief Dailey and his three officers, Lieut. Ben Hensler and Patrolmen J. C. Holbrook and C. L. Vlisscher, were charged in the two criminal informations with brutally beating Miss Naomi Reid, 26, and Raymond Rouser, 25, in efforts to extort confessions to the burglary of the Ritz Supper Club, white night spot on the new Macdon highway.

For the past three weeks the government and the defense presented more than a score of witnesses, some testifying that the police officers did not beat and slug the Reid woman and Rouser, with the government witnesses, some claiming to have been victims themselves at the hands of Dailey and his men, contending that they were denied their civil rights by the defendants. Following the long parade of witnesses for both sides, the government and the defense went into jury arguments early Thursday afternoon. Heard in the opening address and the only one for Thursday before recess was Assistant District Attorney Martin. Thrus-

lowed by Clint W. Hager, and closed by Paul Carpenter, all three for the defense. Following arguments to the jury

Police Brutality

by these three defense attorneys, the District Attorney, Mr. Andrews, was allotted a 50-minute period for his closing prosecution argument, a clear, concise and brilliantly stated argument which touched upon the denial of civil liberty rights to prisoners in the custody of DeKalb County police officers, and who pointed out that these defendants employed a system, a scheme, and a plan to gain confessions from prisoners through duress.

The District Attorney told the jury, an all-white body, that "somebody cares what happens when prisoners are beaten in the jail in Decatur, and that because these defendants are brutal in their treatment of prisoners in gaining confessions, many of the victims have gone into criminal avenues." He stated that the method of the officers on trial was of beatings when confessions were sought, and added that "the very things we are fighting to eliminate today are the very things these men have violated in a civilized country."

In the arguments by attorneys for the defense there was injected words to the jury which pertained to the case being a matter of the jury's acceptance of the word of "these four fine officers, or the word of two Negroes, one who is an imbecile, and the other a criminal and night rambler. During one discussion by the defense, Judge Underwood advised that no words be used in the argument which would prejudice the jury as relating the case.

The judge took more than a half hour to deliver his charge to the jury, and at 12:55 p. m., the jury retired to consider a verdict which was read while the court sat in silence. No announcement was made as to whether there would be any further action taken in the case.

Defenseless Girl Of 14 Slapped In Face By Cop; Captain Promises Action

Because she was unable to tell the whereabouts of her mother, Flora Mae Taylor, 14 years of age, was slapped on both sides of her face by a big burly policeman in her home, while her three sisters and brother screamed and cried, it was revealed this week.

Mrs. Mae Taylor, 1716 Touro Street, had been engaged in a neighborhood argument with her neighbor, Mrs. Margaret Bonville, off and on for several years. On Friday of last week, Mrs. Taylor, who is a former school teacher and the niece of Dr. C. H. D. Bowers, left her home and called at the District Attorney's office at Tulane and South Broad Streets to get protection for herself and her family because of the threats that had been made to her by Mrs. Bonville. While she was at the office of the Attorney, Mrs. Bonville had her former employer, it is reported, to have two police officers visit Mrs. Taylor's home, and without a warrant to put the latter under arrest. Discovering that Mrs. Taylor was not at home, the police officers took her daughter, Flora Mae Taylor, to the House of Good Shepherd and told the sister in charge to hold her, pending further information. Flora Mae said that in the House of Good Shepherd, she was forced to take off her street clothes and to put on a long white gown and was given number 28 as her serial number. She was thrown in with the other girls, some of whom we learned were charged with serious offences. She was instructed by one of the sisters not to discuss her problems with the other inmates.

On learning that the police officers had visited her home and arrested her daughter, after the District Attorney had instructed the Captain of the neighborhood precinct not to accept any charges against Mrs. Taylor as the matter

was in his hands, Mrs. Taylor got in touch with the Attorney for the second time on the same day to report the action of the arresting police officers. The matter was referred to Captain Malone, who seemed very much concerned about the strong-handed way in which Flora Mae was treated. Captain Malone had the child freed from the House of Good Shepherd within four hours after her arrest. He also promised action against the arresting officers. Ernest J. Wright, of the People's Defense League, was contacted by Mrs. Taylor to aid in the prosecution of the police officers. Wright said that he had recommended the case to the Louisiana Association for the Preservation of Constitutional Rights of which Dr. Harold N. Lee of Newcomb College is the president. The NAACP has also been informed about the case.

U. S. Indicts 30 In Dixie

WASHINGTON—(ANP) — The department of justice announced March 23, that a federal grand jury in Oxford, Miss., returned an indictment charging the sheriff jailer and three citizens of Lowndes county, Miss., with conspiring to deprive Negro prisoners of their civil rights by whipping, beating and otherwise mistreating them to obtain confessions of crime. Named as defendants in the indictment were William Jacob Propst, sheriff; William Luther Cole, jailers, and James Ambrose McCrary, Jr., Ellis McCrary and J. Flem Goolsby, all of Lowndes county.

placed on the stand Tuesday and Wednesday, all of whom the government contends were victims of police brutality at the hands of DeKalb County police. The witnesses, most of whom were whites, were called to stand by the prosecution for their tortious civil liberties violations. Police Chief J. T. Bowers, a strip of witnesses was like ghosts to haunt their mentors, a strip of witnesses was

Testify To Police Brutality In Georgia Civil Rights Case

Atlanta, Ga.—(ANP)—Rising

Protest Of Cop Brutality Gets Police Chief Fired

Amsterdam News New York, N.Y.
4-15-44
JACKSONVILLE, Fla. (ANP)—Police brutality against Negro citizens here is said to be one of the big issues involved in the conflict between Mayor John T. Alsop and Police Chief A. J. Roberts, which resulted in the mayor's suspension of Chief Roberts this week.

The clash between the mayor and chief of police Friday afternoon resulted in suspension of the police chief when he refused to carry out certain orders issued by the mayor. The orders are said to have been issued by Mayor Alsop as the first preliminary step to have the courts decide whether the city charter gives the mayor the control and direction of the police department or if the chief must obey certain rules passed recently by the commission.

Randolph Protests

Protest against police brutality has been made in the form of mass meetings, headed by a group of leading colored men. A. Phillip Randolph was in town during the heated protest against the Broadnax affair and mentioned the incident at a mass meeting. Police brutality against Negroes has aroused the Negro citizens here to action.

No revelations have been made of the special meeting called Tuesday by T. F. McCall, Jr., police commissioner. Mayor Alsop and Chief Roberts were invited to bring any evidence they had relative to the charges to be aired at the meeting.

"This special meeting is for the best interest of the police department and the citizens of Jacksonville and the matter should be disposed of at the earliest possible moment," said McCall.

Mayor Fires Florida For Police Brutality

Plains Dealer - Kansas City
4-14-44
Jacksonville, Fla., April 14. (ANP)—Police brutality against Negro citizens here is said to be one of the big issues involved in the conflict between Mayor John T. Alsop and Police Chief A. J. Roberts, which resulted in the mayor's suspension of Chief Roberts this week.

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Woman, Ejected From Bus, Denied Damages \$100 Each

Call - Kansas City, Mo.
BIRMINGHAM. — An all-white jury decided here last week that Miss Mildred McAdory should not be awarded damages for illegal arrest and other injuries suffered by her when she was ejected from a bus in Fairfield, Ala., in December 1942.

Miss McAdory, a former worker with the Southern Negro Youth Congress, was organizing a salvage collection drive in the Fairfield Youth Center when the incident occurred. According to her testimony, an argument arose on the bus she was riding when the driver of the bus, H. D. Davis, accused a passenger of moving the color board.

None of the passengers including Miss McAdory could tell the driver who moved the board. Davis then drove to a telephone stand, locked the bus and called the police. When the police came, the bus driver pointed out Miss McAdory and several other Negroes and told the policeman to arrest them.

Miss McAdory and other witnesses testified at the trial that the officer kicked and beat her. She was lodged in jail over night and refused bail.

Miss McAdory appealed to interested citizens in the community and a Committee for Equal Accommodations on Common Carriers was organized to give her aid in bringing the policeman and the bus company before the courts.

The attorney for the defense attempted to prejudice the jury by bringing this fact before them and accusing Miss McAdory of being a guinea-pig for a group which was trying to agitate the public. Judge Richard V. Evans, hearing the case cautioned the attorney that the case was to be tried strictly on its merits.

Attorney Walter L. Smith, white lawyer for Miss McAdory made a bold plea for equal justice for both white and Negroes in the courts. "I grew up in the backwoods and always believed in administering equal and exact justice to all—Negroes and all minority groups. That's the standard for which our boys are fighting on foreign battlefields.

Miss McAdory said this week that she is considering an appeal to the higher courts in this case. Meanwhile the case against the policeman will come up in a few months.

2 Victims Are Fined

Call - Kansas City, Mo.

Business Man and Teacher Beaten Without Reason

3-31-44
JACKSONVILLE, Fla. — (ANP)

—The brutal beating by two police officers last week of two of Jacksonville's leading citizens, John A. Broadnax, well known businessman, and George Mazyck, his brother-in-law, who teaches at Florida Normal college, has stirred heated resentment among Negro residents.

Mazyck, who teaches welding in a federally sponsored project at Florida Normal, had returned to town after holding his evening classes there early Tuesday morning, stopping by the garage operated by Broadnax, enroute home.

Two policemen, whose names were not secured, drove up and ordered Mazyck to get out of his car, demanding to know why he was out on the streets so late. After Mazyck had explained, and had shown his draft card and identification papers, one of the policemen snarled: "What's that funny look doing on your face?"

Knocked To Ground

Mazyck replied, "If there is a funny look on my face it's because I'm tired and overworked." Whereupon, without further words, the policeman swung at Mazyck, who ducked his head but caught the blow on the shoulder and was knocked to the ground. Upon arising he was hit again and knocked to the ground.

Broadnax, seeking to stop the assault, intervened explaining to the policemen that Mazyck had told them the truth identifying himself as the owner of the garage in front of which the beating was taking place. A shore patrolman, who had walked up, ordered Broadnax to get back, but one of the policemen, grabbing him by the back of his trousers, asserted, "You are resisting arrest—you go too."

The men were placed in the squad car and carried to jail. After being taken out of the car, one of the arresting officers said, "You still got that funny look on your face," and struck Mazyck again. Then turning to Broadnax, he said, "Resisting arrest," and struck him in the nose with his fist. Broadnax's nose began bleeding profusely.

Robbed and Fined

The two were charged with being drunk, disorderly, resisting arrest and spitting on an officer. Neither of the men had been drinking, witnesses said. Before being carried to a cell, they were relieved

of about \$200 in cash taken from their persons and were not allowed to communicate with a lawyer or give bail.

The following morning they were arraigned before Acting Judge J. C. Walton, and despite their pleas of "not guilty" were fined \$100 each or 15 days in the infamous Blue Jay city prison farm. J. M. Baker, prominent mortician, who happened to be in court came to their rescue and paid the fines. The men still have not recovered the \$200 taken by the policemen.

lates that it was because of their decent dress and they were strangers.

When the police searched him on the street they remarked: "I see you are one of those smart niggers from New York." Nunally remarked that it is a common occurrence to be beaten or jailed because some white person accuses a Negro of "sassing" (talking back to) him. He said his friend had remarked in the restaurant that: "This is a free country."

In relating his story, Nunally remarked that it was upon the request of Nunally's white yard master he was released under a fine of \$15.75. Nunally moved with his troop train the next day in the service of his country. He lives at 1239 Butler st., Far Rockaway.

Discharged GI Insulted, Then Juggled in Georgia

People's Voice - New York, N.Y.
5-6-44
"You two niggers get out of here." This was the greet- ing two sleeping car porters received in a restaurant in Columbus, Ga., when they arrived to help transport their country's troops on April 21. One of these defense workers was Brother C. J. Nunally honorably discharged from the army because of illness from exposure and just back from 19 months of service in the South Pacific.

Nunally's discharge pin meant nothing to the Columbus police because they saw several other Negroes who stopped him on the street, gro people purchasing cigarettes beat him, threw him in jail overin the establishment. He says night and then took every cent he they left without any trouble. Un- had before they would release him, able at any time to find out why His fellow worker escaped this he was arrested, Nunally specu-

Witnesses Tell Of Beatings At Hands Of Police

DeKalb Officers Confronted With Alleged Victims

3-30-44

More alleged beatings, heaped upon alleged beatings already told in the Federal District Court here, were revealed Wednesday by several more persons, who testified that they had been beaten, slugged and abused by DeKalb County police officers during past experiences with these law officers.

Being tried on criminal information filed by District Attorney Neil Andrews on charges of violating the civil liberty rights of Raymond Rouser, 25, and Miss Naomi Reid, 26, are Police Chief T. Dailey of the DeKalb County police force, and three of his officers, Lieutenants Ben Hensler, J. O. Holbrook and C. L. Visscher. The trial began last Wednesday morning, and today at 10 o'clock enters its seventh day. Presiding is Judge E. Marvin Underwood.

SEVEN ON STAND
The police officers are charged in the criminal informations by the United States Government with brutally beating and abusing Rouser and Miss Reid in efforts to obtain confessions from them of guilt in a burglary which is alleged to have occurred on last October 21st at a supper club on the new Macon highway.

Already the government has presented more than a half dozen persons, some with criminal records, all who have testified that they were maltreated and otherwise beaten while under arrest by the defendants. Most of these were cross-examined by the defense lawyers, some with little success, in efforts to have testimony given impeached.

Wednesday saw seven persons on the stand, all who gave testimony as to the brutality of the DeKalb officers. Four of those heard were shown to have criminal records, but all of the four contended that they had been beaten and battered by the defendants, and other officers of the DeKalb County police force, while under arrest and under investigation.

First heard was Watler Hill, 26, now serving two 5 to 10-year sentences in DeKalb County on robbery charges. He told the jury that Officers Holbrook and Visscher beat him several times, at least during the month of October

1943, and added that the beatings were administered him after his recapture from an escape on September 7, 1943.

Hill declared that twice he was taken into the woods and beaten with pieces of sticks of wood cut by the officers themselves. On one occasion he stated that the officers handcuffed him to a tree and made attempts to force him to say that he killed Henry Heinz, local banker, who was murdered last September in his residence in the Druid Hills section.

SLUGGED BY HOLBROOK

One time, Hill added, while he was being beaten, he made a loud cry, and that in reply Patrolman Holbrook struck him over the head with the butt end of a large stick.

Next witness was E. K. Johns, 38, who is now serving a sentence for the alleged shooting of Mrs. Hines Roberts during March of 1943. He declared that he was beaten about 10 times in five days at Chief Dailey's farm. He stated that these beatings followed his voluntary return to a DeKalb County convict camp from which he had previously escaped.

Johns stated that Chief Dailey beat him badly with a big stick while two of his officers held him. He said one of the men holding him while the chief slugged him was Hensler. The witness stated that the men beat him when he refused to confess to several alleged burglaries in the county. When asked if he had robbed these homes, Johns replied "No."

Johns added that because of these beatings he was not able to do any work for more than three weeks. He further said that he reported the brutalities to a camp doctor.

Willie Davis, 29-year-old Atlantan, also gave testimony against the officers for the government. He stated that he was beaten in May 1942 while being questioned at the DeKalb County courthouse concerning the theft of some money at Clarkston. He declared that Officer Holbrook was one of the number who "beat him with a blunt instrument which looked to him like a blackjack." He added in his testimony that the officers beat and abused him from early in the evening about 6 o'clock, until around 3 a. m. the next day, and then locked him up, following his refusal to confess to a crime which he said he did not commit.

REPORTED BEATING

Davis stated that he was released the next day and immediately reported the beating to DeKalb County Commissioner Scott Chandler, who told him that he would "look into the matter," but from which he heard no more. He told District Attorney Andrews, on the question that nothing had been heard of his complaint.

Edwards, 21-year-old

Police Brutality

white youth of Cummings, who in 1941, entered a plea of guilty on an automobile larceny charge in DeKalb County, declared to the jury that he was beaten, kicked and slapped by a group of DeKalb County police officers, while under arrest, and his grandfather, Charles Edwards, told the jury that he was denied the chance several times to see the lad, then 18-years-old, for several days after he was arrested.

He said that he made three trips to see the boy before he was finally permitted to see him, to talk with him. On cross-examination the defense made a futile effort to show that Chief Dailey had no supervision or jurisdiction over the jail where the lad was lodged.

Testifying also for the government was Mason Brown George, 31, who told how he was beaten by the officers at DeKalb County, after he had been arrested and charged with having sexual relations with a white woman. He said that Hensler and another policeman carried him to some woods about four miles from the jail, handcuffed him to a tree and proceeded to beat him with two pieces of one by six boards which was split in half by Hensler and his companion.

He said that they struck him over his body with the heavy board, and while beating him tried

force him to say that he had had sexual relations in a car with the woman. He further said the officers beat him in the effort to have him sign a confession and

that after a continuous beating he signed the confession without reading it.

George stated that he was later tried, convicted and sentenced to an 18-month term. On being asked whether he was guilty or not George said, "No"

MADE UNDER DURESS

On being cross-examined by the defense attorneys, Young Fraser and Paul Carpenter, grilled George in efforts to have him admit that he was in

bar with the white woman and had committed an immoral act with her but he steadfastly held to the statement that he did not

the woman and had not been in her company as charged.

The witness on what he said that the confession was made under duress, and during the cross examination, the defense was asked by Judge Underwood to refrain from using the word "white" woman, but to use just woman, or refer to the statement. George further declared that on learning that his brother had employed a lawyer for him, Attorney Slaton, the officers desisted from beating him. Rouser's place of employment testified as to time made by Rouser, and a check issued him by the company.

Another witness for the day was Clark Lovrein, an FBI agent, who identified photographs showing the large number of bruises and scars appearing on the body of Miss Reid, taken under FBI supervision shortly after the alleged police beatings of the woman and Rouser. The FBI agent also describes wounds appearing on Rouser during the same period, stating that his eyes were blood-shot, and that he was bruised, battered and scarred on other portions of his face

and body. Court recessed at 2 p.m. to be resumed today at 10 o'clock

Accused besides Chief Dailey are every time some criminal is arrested. Charles G. Hensler, police lieutenant, as they have done in this case, ant Jefferson C. Halbrook Jr., and it is going to be very hard for Charles L. Vinschor, police officer, any police force to keep down Commissioner Chandler's crime.

Georgia Officers Told To Disregard Uncle Sam

DECATUR, Ga. — (ANP) — Chief Dailey when the accused officer expressed a desire to resign, treated our officers in this way for on charges that they violated the Chandler, former mayor of Decatur, political reasons. We can only hope that the federal authorities as a grand jury. The most recent probe, You will continue to make investigation matter was not presented to the county peace officers, accused of the criminal regardless of interference from held out from the grand jury and abusing two Negroes arrested for burglary, to continue their investigation. The federal officers are helping criminals when they encourage "You and your officers are charged with investigating every crime state and when they drive the commissioner sharply criticized by the December DeKalb county is required by your oath of office. "It seems very strange that this reaucratie and comparable to the federal government." The officers, including Police division Chief J. T. Dailey, must face trial

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"You and your men are to enforce the state laws in this county regardless of federal officials' effort to stop the investigation of crime and protect criminals."

The two Negroes, Naomi Reid, 23, and Raymond Houser, 24, were arrested on charges of having burglarized the Ritz supper club, near Decatur, and were indicted by the DeKalb county grand jury on Dec. 6. They are now in jail here awaiting trials. 1-7-44

Federal action was taken in the case, it is learned, when white employers of the two Negroes protested the condition of their two workers after they were released from the DeKalb county jail.

Mobile Police Brutality Blasted Again By CIO

Journal Guide
Norfolk, Va.

By JOHN LEFLORE
(Defender New York Bureau)

MOBILE, Ala.—Following that the federal government lacked jurisdiction to intervene in cases of alleged police brutality against merchant seamen in this port, the CIO National Maritime union this week answered with a sharp rejoinder, reiterating that seamen had been arrested and beaten without just cause by Mobile police.

Joseph Curran, militant president of the NMU, from his New York office, had asked Attorney General Francis Biddle in Washington, to have an investigation made of unwarranted arrests of seamen in Mobile. The attorney general referred the matter to the district attorney's office here for investigation but the local official said that his office failed to find any cases which might call for federal intervention.

Sam Despeaux, NMU port agent, told the Defender that the union had established three definite cases of the violation of constitutional rights of seamen. Two cases involved colored seamen and one a white seaman. 6-24-44

The two colored men, William L. White and Wesley Jones, firemen, were arrested on Alabama's work-or-fight order on Nov. 5, despite the fact that they proved their identity as seamen by showing proper papers to the police officers who questioned and arrested them. They were held in jail without being permitted to use a telephone to call union headquarters, were subsequently tried and fined on vagrancy charges, although awaiting orders to be shipped out, their affidavits reveal.

Despeaux also mentioned a previous case occurring in October past, of a colored seaman who was on his way to board a ship and was arrested by sheriff's deputies. As a part of the arresting ceremony, the seaman was struck in the face, the port agent related. Then he, the seaman, was taken to jail, locked up, and refused the use of a telephone. His ship sailed the

'We're Frightened,' Says Negro Mother

Daily Worker New York, N.Y.
By LOLA PAINE

I spoke yesterday with a Negro mother and her son, both war workers and residents of the Fort Greene Housing Project.

The boy, 17 years old, was knocked down last Friday by a white hoodlum. His two friends had been mercilessly beaten at 8 Monument Walk by the police and thrown into an ambulance. 6-21-44

Mrs. Hazel Lewis, the mother, was deeply troubled. "It's not the people in the project," she kept saying over and over again. "We get along so well. If the boys had done something, they would have been arrested. But they didn't do anything," she kept saying.

"The police would have beaten my boy right at his doorstep if he hadn't run," she said. And then she thought came to her, "My God," she said, "sometimes when a Negro boy runs, he gets shot. I told him never to run again. Negro boys shouldn't run."

TELLS WHAT HAPPENED

The boy, Charles, described what had happened. He and his two friends had gone over to the community center to the weekly dance, which had not been held that night. Finding no dance, they sat on the steps of 88 Monument Walk, about half a block from the Lewis home. Virgil Carter, 15, and Leonard Sawyer, 16, his two friends, decided to go home, and began to walk toward Myrtle Ave. Suddenly a mob of white men and boys came running down the walk, shouting, "That is some of them. Get them!"

"Lennie and Virgil had to turn around and run back towards my house," Charles said. "I was caught in it too but I was on the side. We got to my house, 8 Monument Walk, and I was still staying on the side. I sat down on a bench trying to look innocent, which I was. Police cars were riding all around. A boy hit me on the neck. Policemen were beating up Lennie and Virgil. I ran away."

A WAR WORKER'S HOME

Charles' statement was verified by Mrs. Miriam Meyers, of 80 Monument Walk, who was looking out of her window as the boys were beginning to be chased by the hoodlums. Mrs. Meyers also saw police in the crowd.

"Police were running after a Negro boy," she said. "A policeman was yelling, 'Grab him.'"

The scene at Charles' doorstep was verified by many who were on the ground or looking from their windows. The Daily Worker is printing these statements in another

story. 6-21-44

Mrs. Lewis, whose neat and well-kept home is a tribute to the "double job" which women war workers are undertaking today, is a sheet metal worker now being trained as a welder. Young and energetic, grateful for her boy's escape from harm, she was indignant at the outrage which the hoodlums forced upon the tenants of the project. At the same time, she insisted that Charles tell the complete story because "If we don't talk and tell what happened," she said, "other Negro boys may be beaten up. We have to do everything we can to stop this kind of thing. It's like the Jews in Germany. They didn't do anything. When Hitler hears about this, he'll laugh up his sleeve."

And then she said, "Thursday I was so happy. Our children were playing together in the streets. The Negro and white mothers always sit so friendly together on the benches, watching their children. Something terrible has happened. We're frightened. But we'll prove that the tenants had nothing to do with it."

Negro Boys, Ft. Greene Victims, Tell Story to Valentine Aide

was sitting on the stoop of a building when the hoodlums came storming down. Charles testified he was saved by being out of the path, although he was later struck in the white neck and knocked down by a white hoodlum assault on tenants of the boy. 6-24-44

Fort Greene House Project in Brooklyn last week. Costuma promised an immediate investigation, as he listened to the stories of the two Negro boys who were brought to his office by a delegation representing the project's tenant association and the CIO Community Council.

BEATEN BY POLICE

Virgil Carter told his story shyly and simply. He said he was leaving the project at Myrtle Ave. when a gang of white men and boys entered and began to chase him and Leonard Sawyer, another youth, who was with him. The two boys then turned and ran back along the street to 8 Monument Walk where, he said, they were surrounded by hoodlums and police.

"I was beaten by the police with their clubs," the boy said as Costuma asked him who did the damage. The boy's head was still bandaged as he talked. He was released a few days ago from the hospital.

Charles Lewis then told his story, saying that he was with Virgil and Leonard, who was also beaten. He said he had told them goodbye and

stated that he was satisfied Elliott Platt was drunk and therefore found Platt guilty of drunkenness; and, with Platt's consent, placed this case on file.

Judge Adlow pointed out that it is best for one and all not to argue with a police officer but instead to go to court with one's lawyer if he feels a police officer has wronged him.

The crowded court room was soon emptied after Atty Lewis told the judge that he intends to bring a Civil Suit for Platt against Hickman.

A representative cross section of colored Bostonians was in attendance at this trial and one of the most loyal groups present was headed by Rev. W. F. Fish. The crowded courtroom—the indignation aroused by the off-and-on of the days of William Trotter when it was a common sight to see public hearings or court rooms crowded with colored people at the judge's side, Judge Adlow Hickman.

Police Officer Found Not Guilty Of Beating Platt

By ANSELMO KRIGGER

The case of Elliott Platt who was alleged to have been brutally beaten by Patrolman James Hickman of Division 4 on Thursday, June 22 at Col-

umbus and Massachusetts aves. On the following day at 10 decided that, since no two wit- of colored Bostonians was in attendance at this trial and one of the most loyal groups present was headed by Rev. W. F. Fish. The crowded courtroom—the indignation aroused by the off-and-on of the days of William Trotter when it was a common sight to see public hearings or court rooms crowded with colored people at the judge's side, Judge Adlow Hickman.

15-1944

Police Brutality

Housewife Charges Officer Hit Her on Head with Shoes

7-8-44

The once cankering sore of police brutality which seemed to have all but healed during the regime of Maj. Edward J. Kelley as superintendent of police, raised its ugly head again last week.

Knocked Unconscious

As a result, Mrs. Margaret Craig, 1313 O Street, S.W., has been taking regular treatment at Freedmen's Hospital for a huge, painful scalp wound inflicted, she says, when struck with a hard-heeled sandal jerked from her foot or with a police-man's billy.

Mrs. Craig was not certain which object was used, but the bulky bandage loudly attests the fact that she was struck and struck hard. The housewife accuses Pvt. J. M. McCartney, white, of the Second Precinct, as her assailant.

7-8-44

The story goes back to a few moments after midnight, Tuesday night of last week, on North Capitol Street. Mrs. Craig told a representative of The Tribune that she had just left a restaurant with a friend, George Brown. Two officers passed them, she said, and sauntered on.

Husband Posts Collateral

The officers are said to have turned around, overtaken the couple, and accused them of disorderly conduct. Mrs. Craig was taken to the Women's Bureau. Brown, it is said, posted collateral and informed Mrs. Craig's husband of her predicament and he in the meantime posted \$25 at the Fourth Precinct, so the story goes.

At the Women's Bureau, the housewife says she was taken before a matron, who asked her to pull the sandals from her stockingless feet, leaving her feet unprotected on the cement floor.

Mrs. Craig declares she half-smilingly said to the matron, "These are no trouble to get off. I can just kick them off." Whereupon, continued Mrs. Craig, the matron went to the door and summoned the two officers in another room, "You'd better come back in here."

Then it was, Mrs. Craig proceeded, that Officer McCarty rushed back into the room, grabbed her sandal from her foot, and struck her over the head.

The housewife states that she was knocked unconscious by the blow. Whether she was "out" five minutes or an hour, the "victim" didn't know. However, Mrs. Craig was positive that when she "came to," she was laying on the concrete floor in another room. The young woman stated further that when she raised her head to get her bearings she spied a big pool of her own congealed blood on the floor.

The housewife continued that the matron eventually peered into the room and discovered she had regained consciousness and was then hustled off to get hospital treatment.

7-8-44

Mrs. Craig was haled into Municipal Court before Judge Aubrey B. Fennell on Friday, and was subsequently fined \$5 after Officer McCarty charged that Mrs. Craig and her companion were using profanity.

Soft-spoken Mrs. Craig denied the allegation and took off her hat to show the judge her lacerated scalp and make a counter accusation. Judge Fennell expressed surprise at the attack and reprimanded Officer McCarty for his act.

7-8-44

This week, the housewife consulted with R. R. Atkinson, attorney, in regard to instituting civil action and proceedings before the police trial board against the offending officer. Mr. Atkinson is president of the Washington Bar Association and chairman of the housing committee of the Federation of Civic Associations.

Atlanta Cop Kills Discharged Soldier

ATLANTA (ANP)—Accused of "loitering," Johnny Brown, enroute home after receiving an honorable discharge from the army, paid with his life late Tuesday night when he resisted the questioning of a county police officer, Lt. Cal. Cates.

Brown, who, witnesses said, ran after he had been shot five times, was later found dead in a Buckhead garage. Police reports bear the customary story that the former soldier had sought to attack the policeman with a knife, although no knife was found on his body, no one was cut, and witnesses could not remember seeing a knife. The coroner, Mrs. Paul Donohoo, announced that there would be no inquest into the slaying, nor would any charges be preferred against the officer.

Rally Will Fight Cops Brutality

Citizens Aroused Over Beatings Of 2 Negro Soldiers

BOSTON (ANP)—Completely ignoring the protests of Boston colored citizens against their obvious brutality, the wave of Boston police brutality continued unabated this week against both civilians and servicemen.

On Tuesday afternoon, August 1, at the corner of Columbus and Springfield, two Negro soldiers were severely manhandled and beaten by policemen and a crowd of approximately a hundred onlookers were warned by one of the police who had his revolver drawn on the crowd, not to make any move.

Informed of the incident, Ray W. Guild, chairman of the NAACP legal staff, immediately contacted the police officials and criticized them for allowing such action on the part of policemen.

In order to let the Boston police officials know that the colored citizens have reached their saturation point in taking abuse from police in

the form of brutality and riot inciting acts, the NAACP is making plans for a mammoth rally and mass meeting to protest such actions.

Julian D. Steele, president of the Boston NAACP, hopes for the meeting to be similar to the one held last year at the Boston Arena, and is calling for the cooperation of all organizations, colored and white, civic, religious and fraternal in sponsoring this event.

Florida College President Jailed; Charged With Disorderly Conduct

TALLAHASSEE, Florida—(ANP)—President R. Elwin Lamb of Edward Waters college, Jacksonville, was taken from a Southeastern Greyhound bus here last week and subjected to police brutality. He was jailed and booked on a charge of disorderly conduct.

The youthful college prexy had been in town for three days in conference with state board of education officials on the curriculum of the A. M. E. college. Upon completion of his conferences he found that it was too late for a train to Jacksonville. He then decided to travel by bus.

President Lamb states that he bought his ticket and was the last person to board the bus. The entire back seat was full. However, there were many vacant single seats. The bus driver became resentful when Lamb suggested that some of the white passengers near the back seat move forward in order that seats may be made available. The driver was in favor of one of the Negro passengers standing during the 169 mile trip to Jacksonville.

President Lamb states that he left the bus voluntarily and accepted a refund of fare. After getting his bags which had been checked, he was in the act of leaving the bus station when the local policemen accosted him.

"We are not satisfied with this thing," said Officer Barrineau. "You are a smart one." With these words the college president was escorted to the waiting police car.

When they arrived at the police station the officers charged him with disorderly conduct and cursing. When President Lamb denied the charges, he was slapped and called a liar by

Officer Barrineau.

The young president was given an option of going to jail or posting a \$25 cash bond. He did not have that amount of cash on hand. They refused to accept a check. He was also denied the privilege of calling outside friends by phone who would post the bond for him.

He was later transferred to the Leon County jail until late in the afternoon.

While in jail, he was able to contact Atty. Clyde W. Atkinson who was visiting one of his clients there. The attorney delivered a message to friends of the young man and these friends were able to obtain his release.

President Lamb would give no statement when asked if he contemplated entering suit against those responsible for his delay here.

Brooklynite Killed And Harlemite Hurt

By Police Thursday

4-15-44

One man was killed and another critically wounded early Thursday by police in different parts of the city.

Aubrey House, 30 of 950 St. Marks avenue, Brooklyn, was killed by Patrolman Dwight Richards, who said that he shot House in self-defense while House was attempting to take away his service revolver. Assistant District Attorney Herman Glowe exonerated the patrolman after a hearing.

Patrolman Richards, a Negro, was sent to investigate a complaint by a Negro woman who lives at 40 McDonough street, and who reported that House had been annoying her and had struck her. The policeman had arrested House and was taking him along Thompson avenue, near Decatur street, when

he attempted to snatch the pistol, him home to escape interrogation. The detective said that they entered Bland's room to question him in the other case, which took place in Manhattan, Waverly on possible abduction and rape Bland, 21, of 2773 Eighth avenue, charges pressed by a girl's father. The wounded man was taken to St. Elizabeth's Hospital. The wounded man was taken to 28th Precinct, when he tried to leap from a first-floor window of

Boston Police Brutality Stirs City to Fever Pitch

Afro American - Baltimore, Md.
Hair-Trigger Cops Blamed in Disorders;

Citizens Fear More Serious Outbreaks

By SPECIAL CORRESPONDENT

BOSTON. — Unnecessary brutality on the part of Boston police and the action of Suffolk County grand jury last week in sentencing a colored seaman to ten years on rape charge, while at the same time freeing a white policeman on a similar charge have aggravated racial tensions almost to the breaking point here.

The local grand jury returned a no-bill finding in the case of Michael McDonough, suspended white policeman, who had been indicted for burglary and for attempting to rape a colored woman.

Charges Attack by 15 Cops

In Cambridge, Mass., the day before, a colored seaman, Andrew Rich, held on a similar charge but with no evidence of guilt, was sentenced to ten years for assault with attempt to rape a white woman. Rich states he was beaten at the Cambridge police station by at least fifteen policemen.

Recently twenty-nine colored soldiers and sailors were arrested, and eight of them arraigned in the Roxbury District Court on charges of loitering, disturbing the peace, and carrying knives. All eight received suspended sentences of six months and were turned over to military authorities.

Sources of Aggravation

A careful analysis of the present situation here where 32,000 colored citizens reside, has been made by Bertram B. Johansson of the Christian Science Monitor and it appears that the reasons for unrest are limited to four chief ones:

1. The influx of "outsiders" onto Boston's relatively tranquil colored scene;
2. Incidents involving alleged physical violence and brutality between police and colored persons;
3. Lack of employment opportunities; and
4. Lack of housing, coupled with segregation.

He considers the latter two the more fundamental, but the former two the more eruptive at present. "The most serious and immediate source of racial tension in Boston today is the belief expressed in many colored quarters that some policemen have been unnecessarily brutal in handling of guilty and innocent colored persons.

"Whether such has actually been the case, the courts will de-

standing committee of seven or eight colored citizens will be formed to present the grievances of the community to proper authorities.

Four Georgia Police Charged

Tribune - Washington, D.C.

With Beating Man and Woman

Attorney General Francis Biddle announces the filing today in the United States District Court at Atlanta of two informations charging four De Kalb County (Georgia) police officers with violation of the Federal civil rights statute.

The informations were filed by United States Attorney M. Neil Andrews at the request of Assistant Attorney General Tom C. Clark, in charge of the Criminal Division, following a complete F.B.I. investigation of the charges. Each information alleges a violation of Section 52, Title 18, U. S. Code, which provides that no person shall be deprived of his civil rights under the color of State law. The maximum penalty provided is a fine of \$1,000 or imprisonment for one year or both.

Named in one information were:

Joseph T. Dailey, chief of police; Charles Benjamin Hensler, lieutenant of police, and Jefferson Coyce Holbrook, Jr., all employed by De Kalb County, Ga. The information charges that the defendants, in order to procure a confession, "unlawfully and wrongfully" whipped, beat, kicked, abused "and otherwise cruelly" maltreated one Naomi Reid, colored, who had been arrested on suspicion of burglary.

Named in the second information were:

Holbrook, Dailey and Charles Lightfoot Visscher, De Kalb County police officers. They are charged with similar mistreatment of one Raymond Rouser, colored, also arrested on suspicion of burglary.

cide, but the general inclination of many colored persons is to believe this to be true, and the fact that they believe it, is obviously, in itself, a serious matter."

Only 15 Policemen on Force

There are fifteen colored policemen and women on the Boston police force for the 32,000 colored people or an average of 1,666 Boston persons. There are 1,950 white patrolmen or about one for every 398 white persons. Although the police department may claim that it is well meaning on its attitude toward the colored people, all persons believe that it should be more careful in its selection of personnel for predominantly colored sections.

Others urge an immediate increase in colored personnel on the force. One of the fifteen policemen is a lieutenant and is slated for a promotion to captain. Something, however, will have to be done to restore the respect of the colored people of Boston for their police force, for that respect is now at its lowest point.

In Cambridge, Mass., where colored and white youths rioted one month ago there is one colored patrolman for the near 7,000 colored people in that city.

Training Program Urged

A five-point program of training for policemen was advocated this week by the Civil Liberties Union of Massachusetts. "There is no reason why we in Massachusetts should let tensions increase until we are confronted with a Detroit riot," Miss Mary E. Sanger, executive secretary of the union stated.

The union statement read: "The disgraceful and highly perilous clash last week between policemen and service men in Roxbury calls dramatic attention to the existence of a situation in the Greater Boston area, which in these times, can very quickly be whipped into a frenzy of interracial disaster.

Minorities Tense

"The tragic fact cannot be overlooked, however, that the police and other municipal officers are themselves largely to blame for the hair-trigger tension, under which many persons, particularly members of the Jewish and colored minorities, are now living."

The NAACP of Boston is calling an immediate conference of public officials to work a plan out for police officials to work out a plan

Girl Beaten By Dixie Cops, Sues

Amsterdam News - New York, N.Y.
Mamie Garrett, 15, Manhandled in April
By Greenville, North Carolina, Police

GREENVILLE, S. C. — (ANP) — Acting for Mamie Lee Garrett, 15-year-old colored girl, who was man-handled and arrested by local police last April 29, Attorney Albion Dunn started damage suits Wednesday against the principals involved in the case.

Those named in the suits filed in Superior Court, are of the city of Greenville, sued for \$5,394.75 and Police Chief Herbert Wooten and Officers J. L. Mills and M. M. Ayscue, each sued for \$5,000.

The bill of complaint stated that on charges made by L. Durwood Tucker, the girl and her mother, Mrs. Mamie Garrett, a school teacher and wife of George Garrett, were arrested for alleged disorderly conduct by Patrolmen W. L. Brewer and J. L. Mills, and that they were mistreated. The bill also states that Ayscue and Mills, without objection by the chief, injured the girl, that Mills beat her in the chief's office. The girl's hospital and doctor's bills amounted to \$394.75.

At the trial, testimony sought to show that the girl and her mother had been charged with disorderly conduct for what happened in the police station and that the girl hurt herself trying to get away from the policemen.

Mrs. Garrett was acquitted and the daughter's case was turned over to the juvenile court but no action was taken by that tribunal.

VICTIM CONFERS IN D. C. WITH DEPARTMENT OF JUSTICE HEAD; AFFIDAVITS IDENTIFY GUILTY

Weekly - New Orleans, La.
Washington, D. C. — Accom-

panied by representatives of the Washington Bureau, NAACP, J. Leo Hardy today had two lengthy conferences recently with Victor W. Rotnem, Chief, Civil Rights Section, Department of Justice, at which it was urged that the Justice Department begin immediate prosecution of white terrorists who beat and drove Mr. Hardy and

other prominent colored citizens from their homes in New Iberia, Louisiana, more than four months ago.

Over the objection of Lloyd G. Porter, Superintendent of schools in that Parish, NAACP Branch officials had succeeded in getting a federal welding school for Negroes. When, with the assistance of the regional representative of FEPC, the school was finally established, irate local officials set out to "put the Negroes in their place."

Beginning on the night of May 15, several days after the school opened, Hardy was taken to the office of the Sheriff where he was accused of being "uppity" and told to leave town. When he did not do so, he was brutally beaten by the sheriff and his deputies on the following night, placed in a car, and driven to the outskirts of the city and told agents for such purposes as might be necessary.

Pointing out that Sheriff Gil- there are still witnesses available to give testimony before the out-Grand Jury.

steps to begin prosecution while there are still witnesses available to give testimony before the out-Grand Jury.

rage have been positively identified and that the complainants were rapidly leaving for the West Coast and other sections of the insurance country, NAACP officials urged

15-1944

Police Brutality

Girl, Beaten By Policeman, Bound Over To State Court

Daily World - Atlanta, Ga. 1-1-44

Judge Callaway Passes Case On After Dramatic Two-Day Hearing

A Criminal Court Jury will hear charges against the girl were in charges of being drunk in a public place, and resisting arrest filed against Hattie Mae Bell, 16 year old case would be bound over to Criminal Court, and set bond for the tenth grade student of Western Avenue at \$100, which bond was the ruling being handed down immediately signed. 1-1-44

court without hearing any arguments ruled that because the

ALBANY, March 9.—Widespread national publicity given to the beating of John H. Jones, Negro porter, by aides of Governor Dewey investigating the Albany machine has caused considerable concern in Dewey circles.

A mass meeting here of more than 1,200 Negro and white citizens last Tuesday packed the largest hall in town. It was a bitter protest against the terroristic methods of the Dewey investigators among the Negro people.

Anxious to overcome the publicity Attorney General Nathaniel Goldstein called in a former judge of the Court of Appeals, Edward R. Finch, to "investigate" Jones' charges of the use of gestapo methods by members of his own investigating staff. Judge Finch was one of the three men who had white-washed Patrolman James L. Drew, New York City cop who had been associated with anti-Semitic, pro-fascist groups. 3-10-44

POOH-POOHS CHARGES

Judge Finch's attitude was made quite clear even before he got started. At a press interview he said that the issue in the case is "only a very little one." If there was any intimidation, the ex-judge said in an obvious effort to clear Governor Dewey, it was merely the action of some overzealous subordinate. He pooh-poohed, however, charges of intimidation generally as being "age old," and expressed doubt as to whether there is "much of that stuff" being used today.

He insisted upon a closed investigation with press and attorney barred, in which Jones would have to prove his case, bring his witnesses and submit to cross-examination without benefit of attorney. Jones' attorney, Morris Zuckman, refused to allow his client to appear under these circumstances. He demanded an open hearing with attorney present in which all other evidence of terror against the Negro people be included. Zuckman's position was supported by Tuesday's mass meeting.

Finch refused and wanted to quit. But Goldstein prevailed upon him to go through the motions of an inquiry for purposes of the white-wash. As expected, he issued his

after interrogating witnesses most the defense will be Attorney A. T. Walden, who is employed by the staff of George P. Monaghan, Governor Dewey's special prosecutor in charge of investigating the Albany Democratic organization. 3-10-44

As Zuckman pointed out in an answer to the Finch report, he failed even to interview the physician who had treated Jones for injuries following his session with Monaghan's staff. Zuckman also pointed to several other fallacies in the report, and renewed his demands for an impartial public investigation into all phases of terror exercised by the investigators.

Three Negro Assemblymen from New York City Hulan E. Jack, William T. Andrews and Daniel Burrows — who have supported Jones' demand for an investigation, have said emphatically that the case is not closed with the Finch whitewash.

attempt to investigate a report to know what steps to take within that two Negroes had been mis-treated by police officers and deprived of their civil liberties, were confronted by the fact that one of the Negroes was in protective custody of the federal court, held as a material witness in a case pending against these officers in federal court, and the other is a fugitive from justice. Both are under indictment in this county for a felony, burglary, through the solicitor general, we have attempted to secure the Negro held as a witness by the federal court to testify before this body by habeas corpus ad testificandum in this court. The federal Negro has refused to permit this to come before this body, thus making it impossible for the court to ascertain if the Negroes were mistreated. 3-11-44

The presentments also recommended that in the future a citizens' committee be heard first by the court to ascertain if the Negroes were mistreated. 3-11-44

Charges of disorderly conduct, resisting arrest and drunk will be heard this morning in Criminal court in courthouse, and listed, to face these charges filed by Police Officer H. T. Smith, is Hattie Mae Bell, 16-year old Booker T. Washington High School tenth grade student who is alleged to have been badly beaten by the officer before she was placed under arrest.

The incident occurred last month in Terminal station and followed an altercation between the girl and the policeman. It was stated by several witnesses that the girl was beaten on no provocation, and others for the officer said that he was justified in his alleged assault on the girl. Three days already in Recorder's court the case was heard and after a parade of witnesses had been heard the girl was placed under a \$200 bond and the case sent to Criminal court for a jury hearing before either Judges Jesse M. Wood or John S. McCallan of that court. 1-27-44

The case is scheduled to start at 9 a. m. today. it was stated. For

School Girl To Face Criminal Court Charges Counter-Charges Of Police Brutality To Be Aired Today

Charges of disorderly conduct, resisting arrest and drunk will be heard this morning in Criminal court in courthouse, and listed, to face these charges filed by Police Officer H. T. Smith, is Hattie Mae Bell, 16-year old Booker T. Washington High School tenth grade student who is alleged to have been badly beaten by the officer before she was placed under arrest.

DeKalb Jurymen Charge
U. S. Blocked Their Quiz
Const. Tutor-Atlanta, Ga.
By KEELER McCARTNEY, 3-11-44
In its strongly worded presentments yesterday, the DeKalb county grand jury flayed federal "efforts to block the actions of other law enforcement agencies" and requested the state's delegation in Washington to investigate the uses to which the civil liberty act is being put in Georgia.

The action was taken in protest against information count in-to determine if the Negroes were dicting against DeKalb Police mistreated, the presentments Chief J. T. Dailey and three of read, since the federal court is his men for the alleged mistreatment of one of the Negroes as a ment of two Negro prisoners, material witness and the other is Ben Hensler and Patrolman C. L. Visscher and J. C. Holbrook are pending in United States district for its consideration a matter involving the county police. In an

The case which created quite a sensation here, and interested hundreds of Atlantans of both races due to the fact counsel employed for the defense of the girl countered with charges that the arresting police officer, S. E. Smith, brutally beat the school girl in Terminal Station Tuesday of last week after she had been arrested by the officer. Witnesses for the girl nearly a dozen, stated that the officer slugged, beat and kicked the girl after the had become in an altercation relative to the girl accompanying a soldier to the Terminal station to take an outbound train back to his camp. MANY ARE HEARD 1-1-44

During the hearing in Recorder's Court the policemen offered 16 witnesses, including himself and his co-officer, who was with him during the alleged attack on the girl, to prove that the girl was loud, boisterous, used profane language, was drunk, resisted arrest and was generally disorderly. These persons were heard Wednesday, and the persons for the defense of the girl giving testimony told the court Thursday that the girl was not drunk, did not use vile language, was not loud and disorderly, and that she was imposed upon by the officer, whom they claimed beat the girl into an almost unconscious state.

After hearing the testimony in behalf of the girl, and that of witnesses for the officers, justifying his act, the court set Friday to hear final arguments of Attorney A. T. Walden, counsel for the local branch of the National Association for the Advancement of Colored People, (NAACP), representing the high school girl, and City Attorney Murphy representing Officer Smith. With hundreds of interested persons filling the large courtroom, the

Negroes, Whites Jam Albany Hall In Protest Rally

3-10-44
By Max Gordon
(Daily Worker Staff Correspondent)

the grand jury and that inspection committees be given several weeks in which to compile their reports. The jury also recommended that advance notice of such inspection tours be withheld. 3-11-44

Other recommendations depicted deplorable conditions at the almshouse and pointed out the need for new housing facilities, and asked that a county health center be established in a building purchased by the DeKalb clinic.

Charge Dewey Aides Terrorize Negroes

3-1-44

By Mac Gordon

(Daily Worker Staff Correspondent)

ALBANY, N. Y., Feb. 29.—Brutal, terroristic methods rivalling those of the Gestapo were charged today to Governor Dewey's aides investigating the Albany Democratic machine.

The charge was made by Sonny Jones, 52-year-old Negro laborer who once worked as a porter in the State Capitol.

In an affidavit, copies of which were distributed to the press by his attorney, Jones described how he had been severely beaten numerous times, kicked, choked and hung out of the window from the 29th story of the State Office Building for 15 minutes in the course of a four-hour inquisition last Friday at the hands of investigators of Special Prosecutor George P. Monaghan, appointed by Governor Dewey to handle the investigation of Albany politics.

The affidavit was accompanied by a letter from Dr. Joseph B. Robinson, prominent Albany physician, who examined Jones Saturday morning. Dr. Robinson stated that Jones was highly nervous and badly cut up in the face, chest, back and abdomen. He is disabled indefinitely, the doctor reported.

While no other such sensational charge of storm-troop brutality has as yet been made in connection with the investigation, there have been reports that Monaghan's investigators have been terrorizing the Albany Negro community by invading homes and repeatedly, day after day, yanking their victims up to the closely guarded 29th floor of the State Office Building where Monaghan holds sway, there to subject them to exhaustive cross examination, if not worse.

Assemblymen Hulan Jack and Daniel Burroughs, Harlem Democrats, went in to see Charles Breit, Gov. Dewey's counsel, this eve-

For Their Civil Rights

Courier-Journal, Louisville, Ky.

To the Editor of The Courier-Journal: While the whole U. S. A. is moving earth and heaven over the recent slapping of a private by General Patton in Sicily, we 13,000,000 Negroes are wondering why someone doesn't turn a single stone in the direction of doing something about these civilian police beating up and killing Negro soldiers in uniform for insisting that their constitutional rights be respected right here in America. 4-1-44 HOWARD W. BARKSDALE and FLOYD W. CRAWFORD. Louisville.

ning on Jones' statement. They refused to be quoted following their interview with Breit, but intimated that they will have more to say tomorrow. 3-1-44

Local Negro leaders are also known to be incensed at the manner in which the Negro people are being handled by the investigators and are planning to take action to put a stop to it.

Morris Zuckman, Jones' attorney, stated that a "thorough investigation will be made of the people responsible for using 'Gestapo methods' against the Negro citizens in Albany. Upon completion of the investigation, appropriate action will be taken."

SHERIFF AMONG FIVE INDICTED

Agatha-Birmingham, Ala.

WASHINGTON, March 23.—(P)—A Federal Grand Jury at Oxford, Miss., has returned indictments charging the sheriff, jailer and three other residents of Lowndes County, Mississippi, with conspiring to deprive Negro prisoners of their civil rights, the Justice Department announced Thursday.

The department said the defendants were accused of whipping, beating and otherwise mistreating Negro prisoners to obtain confessions. Named as defendants in one indictment were Sheriff William Jacob Propst, Jailer William Luther Cole, James Ambrose McCrary, Jr., J. Ellis McCrary and J. Flem Goolsby.

It was alleged the offenses occurred between June 26 and July 29, 1943, and involved six Negro prisoners. 3-25-44

The maximum penalty possible under this indictment is a fine of \$10,000 or imprisonment for two years, or both.

A second indictment covering two counts charged Propst and Cole with whipping and beating two other Negro prisoners in order to obtain a confession. The maximum provided for conviction on this

charge is one year imprisonment and a \$1,000 fine on each count.

Defense Continues Witnesses

Daily World

In Dailey Brutality Hearing

Atlanta, Ga.

Prison Officers

Deny Knowledge

Of Beatings

4-4-44

Efforts to break down previous testimony given as to the beatings of two Negro prisoners in DeKalb county were offset Monday in Federal Court Monday, by defense attorneys.

Heard were police officers of DeKalb county prison bosses and others connected with the prison of District Attorney M. Neil Andrews, of going to the DeKalb county jail on October 25 and seeing Naomi Reid. He said the jailer showed the girl's back, which was a "solid mass of bruises from the shoulders to knees," and that her face was swollen and bruised and she had "an incision across her left wrist."

Howard did not attempt to name the person or persons who inflicted the wounds but added that the Negro girl was in a "highly nervous state and crying" when he talked to her. 3-23-44

He further testified that he went to the jail several times during the week end to consult with his client, Raymond Houser, but was told each time that he "was out for investigation" by the DeKalb officers. He was given the same answer when he telephoned the jail, he said.

Mrs. Jake Hall, wife of DeKalb county's sheriff and jailer and matron of the county jail, followed Howard on the stand and corroborated his testimony as to Naomi Reid having shown "evidence of being beaten" the first time she saw her on Monday, October 25.

She further testified that she had been instructed by officers, not named in the testimony, not "to let anybody see them," referring to Naomi Reid and Rouser. District Attorney Andrews told the jury at the beginning of the trial that the government contends that the accused officers denied Rouser access to counsel, and that both Rouser and Naomi Reid were "severely beaten" by the officers before they were allowed to sign their own bond and be released from jail.

Presiding is Judge E. Marvin Underwood and prosecuting is Neil Andrews, and on the defense stand are Paul Carpenter and Young Fraser.

Dailey Witness Tells of Bruises

3-23-44 Ga. Testimony by William Schley

Howard, prominent Atlanta attorney, that Naomi Reid and Raymond Rouser, Negroes, had been "severely bruised" on or before last October 25, opened testimony in federal court here in the case against DeKalb County Police Chief Joseph T. Dailey and three officers on trial on charges of violation of the civil rights statutes.

Chief Dailey and Charles Lightfoot Visscher, Charles B. Hensler and Jefferson C. Holbrook Jr., are alleged to have "beaten and abused" the two Negroes in an attempt to obtain their confession to burglarizing a night spot on Moreland avenue last October.

Howard, the first witness on the stand, told under the questioning of District Attorney M. Neil Andrews, of going to the DeKalb county jail on October 25 and seeing Naomi Reid. He said the jailer showed the girl's back, which was a "solid mass of bruises from the shoulders to knees," and that her face was swollen and bruised and she had "an incision across her left wrist."

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4 Texans Guilty

PM - NEW YORK, N.Y.

In Negro Slaying

4-21-44 Special Correspondence

HOUSTON, Tex., Apr. 21.—The fight for Negro equality in the South has won a signal victory with the conviction of two policemen and two Negro "stool pigeons" for beating to death Arthur Gaines, 48, a Negro, on Mar. 20.

The conviction was directed by an all-white District Court jury, which deliberated for four and a half hours. City Detective H. N. Martin was sentenced to one and one-half years; Homer Skeeters, a private detective, got six months. Johnny Williams and Richard Jones, the two Negroes, received prison terms of one and one-half years and one year, respectively.

The four men were found guilty of dragging Gaines from bed during an early morning hour and brutally beating him with a rubber hose and their fists while questioning him in connection with a series of burglaries.

They were arrested at the scene of the slaying at headquarters, and refused to answer questions at the hearing next day were again attacked, and despite the fact they had more than \$200 cash on their persons 3-22-44

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Police Beatings Ark Floridians

JACKSONVILLE, Fla.—(SNS)—Police brutality flared out into the open here again the past week. It was stated that Broadnax, well known in civic, welfare and other uplift activities of the city, and the young relative, were seated in the Broadnax station. Reports said that John Broadnax, owner and manager of the State Street garage and filling station, and his brother-in-law, named Mazzyck, were the victims of the beating, inflicted by two burly policemen, whose names were not given, and were further sub-

15-1944

Police Brutality

Albany Aroused by Anti-Negro Terrorism of Dewey's Aides

By Mac Gordon

(The Worker Staff Correspondent)

ALBANY.—This city, legislature and all, was rocked this week by the revelations of brutal, terroristic methods, reminiscent of the Gestapo used against local citizens, and particularly against Negroes, by Governor Dewey's committee investigating the Albany Democratic machine.

The methods of the Dewey committee, set up to look into alleged vote frauds and headed by Special Prosecutor George P. Monaghan, were brought out into the open when John H. Jones, 52-year-old Negro laborer, charged that he had been severely beaten, choked, kicked and hung out of a 29th story window in the course of a four-hour "cross-examination" by the special prosecutor's staff, Jones said, in an affidavit, that he had been continually threatened with death, besides being kicked around and beaten up unmercifully, in the course of the "cross-examination," in an effort to extort information he didn't have.

Two Negro Assemblymen, Hulan Jack and Daniel Burroughs, both Democrats from Harlem, moved by Jones' charges went into the Negro districts in the city and interviewed a large number of residents.

"In a careful interrogation of some of the Negro citizenry of Albany," Assemblyman Jack told a hushed Assembly Wednesday morning, "I learned that the special police is hounding, intimidating and abusing them and they are being dragged up to the prosecutor's office for questioning on their political activities without any basis therefor."

Jack described the entire community as being gripped by fear, the very thing, he said, that we are fighting against in this war.

He charged that the Governor, "who is responsible for appointing the special prosecutor must be held responsible for the acts of his agents. . . and demanded that he put a stop to "further oppressive and illegal measures. . ."

PROMISE PROBE

Majority and Minority Leaders Irving Ives and Irwin Steingut, got up to echo the denunciations of As-

semblymen Burroughs and Jack, and to promise that they would see that an investigation was "carried through and those guilty be made to pay. Republican leader Ives did not say whether he included the Governor among those who might be guilty, but the suspicion is that he meant only those who had actually done the filthy work against Jones. 3-5-44

Albany's Mayor, Erastus Corning sent a bitter letter to the Governor demanding a full and immediate investigation of the terror being used against Albany's citizens. Prosecutor John T. Delaney also promised to investigate.

Prosecutor Monaghan attempted to deny the charges made by Jones. He claimed that the latter had been questioned for an hour and not manhandled at all. Interviewed by reporters, Jones gave names of people who saw him come and go, badly hurt. Dr. Joseph B. Robinson, prominent Albany physician who treated Jones, also told reporters that he had been in a highly nervous state and badly mauled in face, chest, back and abdomen.

The entire community, Negro and white, is aroused by the relations. Protests have been pouring in on the Governor, and a mass meeting is being arranged by a score of Negro and white organizations to take place within the next several days.

The key problem of education funds has not yet been fought out. Republican leaders, faced with opposition among the rank and file of their own party, are evidently marking time, trying to figure out how to calm the waters with as little oil as possible. 3-5-44

Reports indicate that the Governor's office, at least, is playing around with the idea of giving a few dollars to rural schools in order to keep the rural Republicans in line, praying that this will be enough to prevent the revolt from attaining sufficient proportions to allow the Democratic minority from restoring state aid to education for next year to present levels. Next year's budget reduces this aid to nearly \$8,000,000. Other important education bills

which moved ahead are the so-called "Hillburn" measure, sponsored by Assemblyman Jack, which would eliminate school districts based on segregation and which directed at the teacher substitute evil, which were approved by the Assembly Education Committee.

The puny \$35,000,000 public housing measure introduced by the Republicans was passed in the Assembly over the protests of the Democrats, who demanded the full \$150,000,000 credit allowed by the State Constitution. The Republicans have publicly declared that they are hostile to public housing, reflecting the Governor's own known attitude.

Both Face Assault Charge

Post-Washington, D.C.

Negro Agent Reported Beaten By Doorkeeper on Capitol Hill

Edgar Brown, a middle-aged Negro, who, for many years has represented Negro organizations before Senate and House committees, was beaten outside the Capitol by Randlett Towns Lawrence, a

husky 17-year-old House chamber doorkeeper from Monthalia, Tex., it was reported yesterday. Brown was taken to Casualty Hospital and treated for lacerations of the face. Capt. Bert Shelton on detail at the Capitol don of the Metropolitan Police department who investigated the affair, which happened late yesterday, said he would charge both Brown and Lawrence with assault.

Lawrence said that he originally had words with Brown Tuesday afternoon when the main refused to obey his orders to sit down in the public gallery of the House. He returned yesterday, Lawrence explained, and again got into an argument with him. 3-23-44

The doorkeeper said he followed Brown out of the Capitol a few minutes after the House adjourned and accosted him in the Capitol grounds. Brown appealed to Representative Everett Dirksen (R., Ill.) and later found a shovel some where and attempted to strike him with it, Lawrence said.

In self-defense, Lawrence declared, he stuck Brown several times, and in doing so injured his right hand.

Four Go on Trial In Negro's Death

HOUSTON, Tex., Apr. 20.—The murder trial of four men—two former policemen and two Negroes—accused of brutally beating to death Arthur Gaines, a Negro, on Mar. 20, got under way yesterday with the selection of an all-white jury.

Counsel for the defendants in questioning prospective jurors indicated they would plead self defense. The four-count indictment, however, charged that the two policemen and the two Negroes, who allegedly were "stool pigeons," dragged Gaines from his bed early in the morning and beat him for hours with a rubber hose in questioning him about a number of burglaries. Gaines had served three prison terms for burglaries.

Lawrence is on the patronage list of Representative Richard M. Kleberg (D., Tex.).

Police said many members of the House who were returning to their offices following adjournment witnessed the affair. 3-23-44

Brown, head of and the United Government Employees, was formerly racial relations adviser to the CCC. He is at present running ticket in the Second Illinois District.

Ralph K. Roberts, head doorkeeper of the House, said Lawrence had reported to him Tuesday an account of his argument with Brown and to prevent a possible recurrence, Roberts had transferred him to another post. Until the change, Lawrence was stationed at the entrance to the public gallery which Brown invariably used on his visits to the Capitol.

Objections Delay Trial Of DeKalb Police Chief

Named in criminal informations with Dailey are Patrolmen U. C. Holbrook, C. L. Visscher and Lieut. C. B. Hensler. The first objection was raised by J. T. Dailey, DeKalb County police chief, and three of his officers, charged with violation of the Civil Liberties Act.

Negro Woman Beaten in B'klyn Police Station

Mrs. Elsie Davis, 565 Gates Ave., Brooklyn, who was kicked and beaten by police last Saturday when she protested mistreatment of a Negro prisoner, was yesterday held for the grand jury. She is charged with "assault" on the police.

Mrs. Davis, a Negro, wife of a soldier now overseas and mother of a small son, thus describes her experience. 5-4-44

"I saw the cop beating the handcuffed man when I got off the bus coming from work. The cop was trying to keep the crowd back. He pulled his gun and I yelled, 'Look out, he's going to shoot!' A cop grabbed me and shoved me into the patrol wagon."

Inside the 79th precinct station they knocked her down with blows in the face, kicked her in the stomach as she lay on the floor.



The four officers are charged with maltreatment of two Negroes—Raymond Rouser and Miss Naomi Reid who are accused of burglary in DeKalb County. The information point out that the alleged state and maltreatment was in an effort to get a confession from them. The officers are being represented by Pau Carpenter, Y. H. Fraser, Clint Hager, and J. K. Kemp.

When Neil Andrews, district attorney, produced a letter from Hammack's office, authorizing release of the prisoner, Candler looked at it and objected on the grounds that the prisoner was a ward of the state and that authority to turn him over to get a confession from them was a Federal Government would have to come from Francis R. Hammack, state director of corrections.

at its meeting last night and pledged his cooperation to the attention of the Brooklyn Inter-racial Assembly. The councilman called the case to the attention of the Brooklyn Inter-racial Assembly. The councilman called the case to the attention of the Brooklyn Inter-racial Assembly. The councilman called the case to the attention of the Brooklyn Inter-racial Assembly.

Jax Police Chief Is Fired Daily World - Atlanta, Ga. As Result Of Brutality Row

4-9-44
JACKSONVILLE, Fla., (A N P) — Police brutality against Negro citizens here is said to be one of the big issues involved in the conflict between Mayor John T. Alsop and Police Chief A. J. Roberts, which resulted in the mayor's suspension of Chief Roberts this week. The clash between the mayor and chief of police Friday afternoon resulted in suspension of the police chief when he refused to carry out certain orders issued by the mayor. The orders are said to have been issued by the Mayor Alsop as the first preliminary step to having the courts decide whether the city charter gives the mayor the control and direction of the police department or if the chief must obey certain rules passed recently by the commission.

Protest against police brutality has been made in the form of mass meetings, headed by a group of leading colored men. A. Philip Randolph was in town during the heated protest against the Broad-Nax affairs and mentioned the incident at a mass meeting. Police brutality against Negroes aroused the colored citizens here to action. No revelations have been made of the special meeting called Tuesday by T. R. McCall, Jr., police commissioner. Mayor Alsop and Chief Roberts were invited to bring any evidence they had relative to the charges to be aired at the meeting. **4-9-44**
"This special meeting is for the best interest of the police department and the citizens of Jacksonville and the matter should be disposed of at the earliest possible moment," said McCall.

Resume Trial Daily World - Atlanta, Ga. Of DeKalb Police Monday

The trial of Police Chief J. T. Dailey of DeKalb County and three officers who work under him, charged with violating the Civil Liberties Act, will be resumed Monday in the Federal District Court here. **3-25-44**
The four men, Chief Dailey, Lieutenant C. B. Hensler and Patrolmen J. C. Holbrook and C. L. Visscher, went to jail last week on charges of violating the civil liberties act of two Atlanta Negroes, who are under burglary indictment in DeKalb County.

Rouser Tells Daily World - Atlanta, Ga. How Officers Attacked Him Shows Jury How He Was Struck With Blackjack 3-25-44

Testimony was given in Federal Court here Friday that J. C. Holbrook, DeKalb County police officer, struck a prisoner with a black-

jack and that Patrolman Holbrook and C. L. Visscher, another DeKalb officer, beat the same prisoner. The witness was Raymond Rouser, 25-year-old Negro, now under indictment in DeKalb County for burglary.

He stated to the jury that the alleged beating took place on Saturday, October 23, last year, while the policemen were questioning him in connection with the burglary of a supper club on the new Macon highway. **3-25-44**

HIT ON HEAD

The two patrolmen, Police Chief J. T. Dailey, of DeKalb County, and Lieutenant C. B. Hensler are being tried in Federal Court on charges of violation of the Civil Liberties Act, in beating Rouser and Miss Naomi Reid, both Negroes.

On direct examination, by District Attorney Neil Andrews, Rouser stated that Patrolman Holbrook hit him on the leg, arm and head with a blackjack while riding in a police car from the Decatur courthouse to Rouser's home.

When asked by Andrews how many times he was struck, the witness stated that, "It was just continuous." He said he was beaten and kicked the same day at the supper club, which was burglarized.

Houser declared that Chief Dailey asked him about the robbery and when he replied that he knew nothing about the burglary, Chief Dailey told him he was lying and then, "Mr. Holbrook and Mr. Visscher began beating me." When he was asked if they hit him with their fists, Rouser said, "I couldn't tell, they coming so fast."

KICKED IN SIDE

The witness said that during the beating he fell out of the chair in which he was seated and Holbrook kicked him and then told him to get up. **3-25-44**

Dr. Rufus Askew, who examined both Houser and the 26-year-old woman, described in detail their injuries. He said he examined the Reid woman at the office of the Federal Bureau of Investigation on October 28 and found "definite evidence of severe injury." He said she has large bluelike bruises on her back, thighs and legs and small broken blood vessels "too numerous to count." Dr. Askew stated that the injuries principally were confined to the woman's back and that they expanded to the calves of her legs.

Rouser's injuries, he testified, were largely confined to his head and face. "Both eyes were puffed and swollen," he said. The doctor declared that in his opinion the injuries to Rouser's eyes were caused by blows from a semi-soft instrument.

Asked if a man's fist would be

designated as a semi-soft blunt instrument. Dr. Askew said, "yes." On cross-examination, Defense Attorney Young Fraser asked Dr. Askew if the injuries could have been caused by a fist fight, and he replied, "yes." Rouser denied participation in any burglary at the club. He told the jury that he was given very little to eat while confined in the detention room of the

DeKalb County police station and had to sleep on a hard bench. He said he was released on bond of his own on Tuesday, October 23, by Patrolman Visscher.

QUESTION MISS REID

At the start of the court session Friday, both the government and defense attorneys spent some time questioning Miss Reid about a statement she is said to have made on October 31, 1943, in which she is alleged to have declared that John Gwin, owner of the robbed club, beat her, and not the officers.

She finally denied that part of the reputed statement and also denied that she had told Chief Dailey that Gwin beat her. Miss Reid testified on Thursday that she was beaten by Lieutenant Hensler and Chief Dailey while Holbrook held her. **3-25-44**

Testifying already for the government in the case have been William Schley Howard, criminal lawyer, who lives in Decatur, and who is representing Rouser, and the woman jailer at Decatur, who is the wife of the sheriff at that town. Both gave testimony that the two Negroes were beaten by the officers.

Cross-Examinations Daily World - Atlanta, Ga. Feature Police Trial

3-28-44
Trial of Police Chief J. T. Dailey of DeKalb County and three of the police officers under his authority charged with violation of the Civil Liberties Act, was resumed Monday morning in Federal District Court. Court recessed Friday afternoon early for the week end.

Chief of Police Dailey and the three other officers, Lieutenant C. B. Hensler and Patrolmen J. C. Holbrook and C. L. Visscher, went to trial last Wednesday on criminal information charging them with beating two Negro prisoners, Raymond Rouser, 25, and Miss Naomi Reid, 26, both Atlantans, in efforts to gain confessions from them of the burglary of the Ritz Supper club on the new Macon highway on the night of October 21, 1943, or the early morning of Friday, October 22, 1943.

MOSTLY CROSS-EXAMS

One of Smith's neighbors, told an Amsterdam News reporter that "something must be done to keep cops from pulling guns and shooting people unnecessarily. There was no need for any shooting this time."

Holt stated that he fired the shot when Smith jumped at him with a knife when the detective attempted to stop an argument between Smith and his wife, Ethel, 21, in front of the Smith home at 150 Atlantic Ave., Brooklyn, early Friday morning. Only one shot was fired, but it being fired at close range, his target and critically injured Smith.

Resentment Hot According to another onlooker, another white officer was seen congratulating Holt on his "superb" gun play. When news of this spread through the uptown area, resentment of a hot nature was lodged against the shooting. It was believed by the majority of Brooklynites that Holt, had he wanted, could have easily apprehended Smith without putting his finger on the trigger.

At press time, reporters learned from the Kings County Hospital that the victim was still in critical condition. He was shot in the abdomen by Detective Charles Holt of the Brooklyn burglary squad. Engaged in Fight

Say Shooting Daily World - Atlanta, Ga. Of Man Was Unwarranted

Most of the session Monday was concerned with cross-examinations of Rouser, his father, Raymond Rouser, Sr.: Rufus Henderson, porter at the DeKalb County jail and Miss Willie Mae Metz, a cook at the Ritz club, where the Reid girl was also employed as a cook during the time of the robbery of the club last fall. These persons were thoroughly cross-examined by Defense Attorneys Young Fraser and Paul Carpenter with the intention of breaking down testimony given earlier in the trial that Patrolman Holbrook had struck Rouser with a blackjack and that Patrolman Visscher and Holbrook had beaten Rouser in the face until it was bloody. **3-28-44**
At one interval during the cross-examination Rouser admitted that he had used assumed names, for the reason that he feared being beaten again by the officers after he had made bond and was at the club.

15-1944

Probation

Jefferson Judges Stage First Fight In Court Chambers

Age-Herald-Birmingham, Ala.

Jurists Wheeler And Morrow Hurt In
Altercation After Dispute Over
4-7-44 Probation Case

Two Jefferson County circuit judges, Robert J. Wheeler and John C. Morrow, late Thursday afternoon engaged in a fist fight in Judge Morrow's chambers following a dispute between the two judges on a probation hearing granted a Negro woman.

Attaches at the courthouse said both men were led from the building bleeding about the face and head and with scratches and bruises being suffered by both.

Row Principals



Circuit Judge Robert J. Wheeler, top, and Circuit Judge John C. Morrow, who Thursday afternoon engaged in a fist fight in Judge Morrow's chambers at the courthouse here.

Judge Morrow, when questioned, said all he had to say was that

Morrow said he would prepare and release a written report on the affair early Friday morning.

Preliminary accounts of the altercation varied with Judge Wheeler contending he acted innocently when he granted a probation hearing to the Negro woman who had already been denied probation by Judge Morrow at a hearing several days ago.

Judge Wheeler, when asked for a statement, said:

"I didn't know the woman had already made application for probation before Judge Morrow and had been denied. So when the request for probation was made I instructed the probation officer, Mr. Malcomb Grant, to investigate the case and to give me a report. I received the report and later granted the probation.

"I didn't know she had already pleaded guilty before Judge Morrow and when I found this out I went to Judge Morrow's chambers and apologized. At that time we became involved in an argument and Judge Morrow struck me with his fist. I tried to protect myself with a cuspidor when Judge Morrow started at me with an ash stand. I hurled the cuspidor at Judge Morrow and his bailiff, Mr. Jim McAdory, picked up the cuspidor and struck me on the side of the head with it. McAdory had tried to separate us." 4-7-44

Both Judge Wheeler, grey-haired tall and dapper, and Judge Morrow, have been on the bench for several years.

tury. In 1866 the first Civil Rights recently in an address at Cornell together, (these amendments and act was passed, followed two years university in the following words: statutes). . . . all adopted over a later by the adoption of the 14th "The changes brought about by period of 11 years for the express ment by the states and, in some amendment. Lower other statutes such legislation were drastic, for purpose of freeing the slaves, mak- instances, by individuals. . . ."

But these advances in social legislation were not to retain their full vigor for long. In the same address the attorney general pointed out, "the pendulum, following the 'carpet bag' days and the rise

of the Klan, swung very far in one direction... Four years after the ratification of the 14th amendment, the swing began in the other direction." By judicial interpretations such as those in the Slaughterhouse Cases, the civil rights decisions, U. S. v. Harris, and others, the applicability of the amendments and statutes was drastically narrowed.

FRAGMENTS LEFT

"The passion and power behind the great amendments were being cooled by the breath of judicial construction... As a result we now have on the statute books only fragments of the original acts..."

It is, therefore, within these relatively narrow limits that the department of justice says it can act today to prosecute alleged violations of what is generally considered the "inalienable" right of citizens, white or Negro.

In order to do this as effectively as possible, a special civil rights section was created within the criminal division in 1939. Its function is to examine every complaint of an invasion of civil rights and, if the facts seem to warrant, attempt to discover the legal means by which a prosecution can be brought within the limits of the existing law.

WAC Fined, Sentenced For Violating Jim Crow

FT. OGLETHORPE, Ga.—Miss Beatrice M. Jackson, a member of the WAC stationed here, was fined \$75 and costs and sentenced to 60 days in the workhouse for sitting next to a white passenger on a local bus and refusing to move.

The fort's commanding officer, Col. Howard Clark, declared that he would not interfere in the local court action, saying that "they have been warned of the state's Jim Crow law," and "if, in spite of these warnings, they persist in violations of the law, I see no reason why I should interfere with state, county, or city officials."

White Man Hanged For Slaying Negro

LANSDALE, Kan.—(ANP)—Fred L. Brady, 46, white, was hanged at the state prison here for the holdup slaying 15 months ago of Joe Williamson, Negro of Arkansas City, Kan. Shortly afterward Clark Knox, 46, of Kansas City, was hanged for the slaying of a white Kansas City policeman last fall.

Fights Virginia "Justice"

Amsterdam News - New York
By BARBARA LEWIS

(After having been approached by Mrs. Lewis for permission to run the following story in the columns of the Amsterdam News, we carefully checked with her lawyer and with the local branch of the NAACP to establish the authenticity of the facts as stated. Meanwhile, time is short, and assistance is urgent.—The Editor.)

The Incident in Review

On August 20, 1944, I, Barbara Lewis, boarded a Virginia Trailway Bus in Washington, D. C., enroute to Lynchburg, Virginia, the home of my mother. Colored persons having filled the bus from the rear to the third seat, I took that one.

On the outskirts of Lovingson, Virginia, two white passengers came on. The bus driver requested all Negroes to move back. There were only two available seats in the rear. The two Negroes sitting opposite me took those and the Negro sitting by me stood up. I would not move on this order and the bus driver became very much irritated. He threatened me with arrest and subsequently did procure the sheriff who saw the situation and did not take any action.

The sheriff left the bus and the bus driver proceeded about a mile and then asked his white passengers whether or not I should be thrown off. They said yes and he told me that he would do this at the next stop which was Lovingson proper.

When the bus came to a stop, the driver came back and in a very threatening way, proceeded to grab me by the neck and striking me once in the chest, he proceeded to push and shove me from the bus. As we reached the front, he kicked me on the knee and shoved me down the steps. The driver reached for the jack handle but I beat him to it. I struck at him not knowing whether I hit him or not. He proceeded to take the jack handle away from me and would have struck me with this but a colored man stepped between us.

After giving me a transfer, taking my baggage off, he had me arrested and charged me with disorderly conduct and assault.

Tried by Lily-White Jury

On October 10, 1944, I was tried in Nelson County before Judge Edward Meeks. I was represented by W. S. Diuguid, a Negro attorney of Lynchburg, Virginia. Before the jury was sworn in, my counsel made a motion that the entire jury be dismissed in that Negroes in this County were systematically excluded from jury service.

In support of this motion he placed the Clerk of the Court on the stand who testified that during his 24 years of service as Clerk of Nelson County, no Negro had served on the petty jury. He further stated that there were approximately 350 Negroes qualified for jury service. The Judge overruled this motion and allowed the jury to decide the issues.

Judge Expressed Bias

All three of the instructions asked for by my counsel which pertained to my rights as a citizen were refused. The Commonwealth Attorney for this County, in his summation to the jury, asked for maximum punishment for me because I was a New York Negro girl who had come to the State of Virginia and attempted to disrupt the customs of the Commonwealth of Virginia.

The jury returned as its verdict on both charges that I should be imprisoned for six months and fined \$200.

Won't You Help

I am a defense worker at the Klein's Plant and I reside at 2340 Seventh Avenue, Apartment 44, New York City, New York. My counsel was a representative of the NAACP. An appeal was noted by my counsel and I am asking any person or persons who have any interest in this matter to either see me at the above address or contact my attorney, W. S. Diuguid, whose office is located at 901 Fifth Street, Lynchburg, Virginia. We have 60 days in which to perfect this appeal.



MRS. BARBARA LEWIS

Dr. Kelly Miller Loses Both His License and Freedom

Dr. Kelly Miller, Jr., 48, of Fourth Street, N.W., formerly a practicing physician in New York, was handed down a 3- to 9-year sentence by Justice James W. Morris, last week, on a charge of performing a fatal illegal operation upon Miss Dorthea Dawson, 23, of the 1600 block of Tenth Street, N.W., last April. Ass. U. S. Atty. Ray L. Jenkins, who prosecuted Dr. Miller, said the physician's license to practice medicine had been previously revoked as a result of a conviction in New York on a narcotic charge.

Dr. Miller in his own defense stated that he had treated the young woman after another doctor, his friend, had failed to complete an examination. He was convicted the previous week by an all-white jury. The physician is the son of the late Kelly Miller, Howard University dean.

Bellhop Given Life

For Going in Room Of Dixie White Girl

RAEFORD, N. C. (ANP)—Hoke County superior court Monday sentenced a Negro bellhop to life imprisonment in the state penitentiary for allegedly entering the room of Mae Conway, a white local hotel employee. The bellhop, George Dupree, supposedly used a pass key for entrance into the woman's room. The alleged offense occurred on Aug. 9; the woman, asleep, suddenly awakened and the man became frightened and hastened away. He was later seized by an officer who arrested him.

Sailors Get 15 Years For Mutiny

Lighter Sentences Given Younger

ings and claimed that the "charges developed solely because of race." The NAACP intimated further appeals would be sought to ease the verdicts.

of their youth, previous clean record, and short period of service to prepare them for Navy discipline at dangerous tasks.

Men By Admiral SAN FRANCISCO, Calif.—Fifty sailors, charged with refusal to load ammunition at Mare Island Navy Yard a few weeks after the disastrous blast at Port Chicago, Calif., which claimed more than 300 lives, have been given sentences ranging from eight to 15 years. Specific charge was "mutiny."

The mutiny charges drew a furor throughout the nation when 300 men refused to work at Mare Island as an aftermath of the Port Chicago blast in which 322 men lost their lives. After repeated warnings and an explanation of the seriousness of the offense, all but 50 returned to duty with light fines being levied for their actions. An investigator from the National Association for the Advancement of Colored People reviewed the court martial findings of 40 of the men because

15-1944

IT HAPPENED IN MOBILE!

WHITE FINED \$100 FOR SLAPPING NEGRO

By JOHN LEE LORE
Seattle, Wash.

MOBILE — The millennium, or a reasonable facsimile thereof, reached this city in the Deep South last week! 9-6-44

Consider these sensational developments in this traditionally Confederate stronghold:

1 For the first time in the city's history, a white man was given a stiff fine of \$100 for slapping a colored woman "with out provocation."

2 Four white men who brutally assaulted several Negroes without provocation were arrested and charged with assault with intent to murder.

Behind the sudden change in law enforcement tactics in Mobile is the feeling of leading white citizens that this Alabama city was grievously libeled by Northern newspapers which recently referred to the Philadelphia race hate strike as something to be expected in Mobile rather than in the "City of Brotherly Love." 9-6-44

Furious because Philadelphia's anti-Negro transit strikers were compared with lawless race-rioters in Mobile, law enforcement officials here launched an unprecedented race rights drive to prove that "it can't happen here." 9-6-44

Sheriff William H. Holcombe, who announced the arrests of the four white men charged with promiscuously attacking Negroes, warned against such practices and said:

"These arrests were made after a thorough investigation in which it was shown the Negroes were grossly mistreated. Such a thing will not be tolerated in Mobile — despite statements to the contrary by the newspapers of New York and Washington."

Sheriff Holcombe's remarks were aimed at editorials published in Washington and New York concerning racial trouble in the Philadelphia traction strike. The newspapers in identical editorials, said:

"No doubt some way will be found of restoring the traveling

facilities of the city (Philadelphia) so that war production schedules can be resumed. That is important, but there is another aspect to the strike that is of much wider significance. That is the rather frightening flare of race prejudice that might be expected of Mobile, Ala., but not of Philadelphia." 9-6-44

To prove to the nation that racial attacks will be handled here, the sheriffs' department declared that the full force of the law would be thrown against race haters in Mobile.

Sheriff Holcombe stated that the four men arrested for assaulting Negroes had driven around Mobile in an automobile, stopped Negroes at random and proceeded to attack them. At least one victim was clubbed, he said.

"Our investigation shows these Negroes were grossly mistreated. We have arrested the persons we feel responsible and will exert all our efforts to have them punished to the full extent of the law," he announced.

Charged with two cases each of assault to murder in warrants sworn out by Deputy Herman Blake, the white men were listed as J. O. Pivett, 32, 411 S. Franklin St.; J. E. Strickland, 17, 60 Fifth Ave.; J. W. Denley, 17, of 1056 Palmetto St., and Bill Dolbear, 20, of Saraland.

One of the colored persons attacked, Edward Johnson, of Prichard, testified he was walking down Craft Highway from his home and an automobile drove up beside him and a person whom he identified as Prichard struck him down with a bludgeon. 9-6-44

For the past several years, numerous Negroes have been brutally attacked by whites riding in automobiles. In one instance a colored man, waiting for a bus in a residential section, was shot and killed by white mobsters cruising about in an auto. No arrests were made.

Punishment

Convict Woman Because She Defended Self From Conductor's Assault

Poetic Southern justice was meted out last week when Mrs. Alice Burke, 32, 1711 Bienville Street, was found guilty in Judge Frank T. Echezabel's section of the local criminal court. Mrs. Burke had been arrested on a charge of simple assault on July 28 because she defended herself when Conductorette Mickie Quigley, 28, 2755 Acacia Street, assaulted Mrs. Burke with the iron handle used to open the door of trolley cars, and in the ensuing scuffle as she pushed her assailant (Conductorette Quigley) from the window of the moving street car.

The only witness to appear in behalf of the conductorette was a white woman who testified that she was sitting near the front end of the car and had seen nothing of how the affair began but had heard screaming, looked out of the window and saw the conductress, North Claiborne Avenue, and Miss Dorothy Brashear, 118 North Galvez Street, both testified that they saw the white conductorette strike Mrs. Burke with the iron door handle.

The motorman on the car testified he could not see the entire affair but had seen Mrs. Burke with her hands on the conductress's chest shoving her. Crossing examination by Mrs. Burke's attorney, Charles Byrnes, revealed that the motorman was in doubt as to how Mrs. Burke pushed the conductorette if at all.

Nevertheless, Mrs. Burke was convicted of simple battery. Maximum penalty of the conviction leads to two years imprisonment or a three hundred dollar fine or both.

Mrs. Burke has a son in the U. S. Navy, John Haynes, Jr., 17, a volunteer, who is stationed at Great Lakes, Ill. Her husband, Obadiah Burke, is confined to the United States Public Health hos-

Execution Of Boy 14, Too Much For White Supremacy

(By The Associated Negro Press)

Miami, July 14.—Though reaffirming his belief in "white supremacy" the electrocution of a 14-year-old lad in South Carolina was too much for the editor of Miami Life to stomach, he admitted editorially Wednesday.

"We have long advocated white supremacy in the south," read the editorial. "Born and bred in Georgia we could scarcely feel otherwise. But we must confess our stomach sickened when we read the other day that South Carolina had executed a 14-year-old Negro child. What an indictment against South Carolina and its people... which state, we cannot forget, precipitated the Civil war."

"It's the best proof that state rights can justifiably be curtailed. Such a thing could not have happened in enlightened states. We don't believe that Florida could stand for such 'justice.' "Thank goodness most everybody we've talked to feels that same way. Otherwise we would be horribly ashamed of our fellow Americans who are citizens of South Carolina. Anyway, we feel like apologizing for them—and their inaction against officials who are so ignorant and brutal."

Scottsboro Boy Sent Back To Ala. Jail As Parole "Delinquent"

MONTGOMERY, Ala. — Clarence Norris, 32, one of the nine Negro youths convicted in the Scottsboro case of 1931, has been declared "delinquent" and has been returned to jail after nearly nine months on parole, it was announced Wednesday by Judge Alex Smith, chairman of the Alabama pardon board.

Judge Smith said that the board had worked and advised with Norris and tried to get him to work, and he had promised to do better but failed. He was then declared "delinquent" and returned to jail.

to an unconfirmed report, following the circulation of a rumor that a Negro soldier had been killed on the post.

Private Washington was listed as the leader of other mutinous incidents the night of August 17: Davis was accused of stealing a command car from his unit the night of the melee, criminally attacking an officer's wife and attempting assault of an elderly woman, and Private Britton was charged with being one of the leaders accused of breaking into the supply room.

three BROOKLYN MAN CONVICTED The nine-year sentence went to Brig. Sgt. Conway Price, 30, of Brooklyn, and a charge of failing as a non-penalty was commissioned officer to attempt to suppress mutiny. General Guerre was accused of holding two officers at the point of a gun during the outbreak.

Private McGary, 24, of Chicago, was charged with leading a group of soldiers into a company supply room and taking rifles and ammunition. Now in Fort Sam Houston, Tex., McGary was 29, no address given, after testimony on many a court-martial proceeding showed that he was not among those participating in the "mutiny and other military offenses." 10-7-44

Life sentences were meted out to George S. Washington of Houston. The outbreak resulted, according to others given life sentences, and a fifth meted a nine-year term at hard labor, according to court-martial verdicts released this week by Brig. Gen. Louis F. Guerre, commanding general at Camp Claiborne, and a former State Police superintendent in Louisiana. A sixth soldier was acquitted.

Army Sentences Five On Mutiny Charges

ALEXANDRIA, La.—One soldier was sentenced to death, three others given life sentences, and a fifth meted a nine-year term at hard labor, according to court-martial verdicts released this week by Brig. Gen. Louis F. Guerre, commanding general at Camp Claiborne, and a former State Police superintendent in Louisiana. A sixth soldier was acquitted.

The trials grew out of the August outbreak at Camp Claiborne and each of the soldiers was convicted of mutiny charges. A white officer, and two Negro soldiers were shot given and wounded during the melee, according to testimony.

MAXIMUM PENALTY Life sentences were meted out to George S. Washington of Houston. The outbreak resulted, according to others given life sentences, and a fifth meted a nine-year term at hard labor, according to court-martial verdicts released this week by Brig. Gen. Louis F. Guerre, commanding general at Camp Claiborne, and a former State Police superintendent in Louisiana. A sixth soldier was acquitted.

One To Die

Sailor Spends Furlough in Jail; Later Found Innocent

Amsterdam News - New York, N. Y.
4-1-44
NEW ORLEANS (ANP)—Because of the inability of his friends and relatives to have the bond of \$2,500 reduced when he was booked in connection with the alleged snatching of a pocketbook on the morning of February 24, Richard B. Brown, 17-year-old seaman in the navy, was forced to spend his furlough in the Parish prison. The case was dismissed Saturday after a subsequent investigation revealed that the woman's purse was not stolen but was misplaced in her home.

Wednesday night, Feb. 23, Brown and a juvenile friend were together at a dance. They were returning at about 2 a. m. when they passed a white couple, Mr. and Mrs. Alix Larson. The friend of Seaman Brown seems to have walked between the couple. Resenting this, Larsen is said to have cursed the boy. The boy struck Larson. At this point Mrs. Larson began screaming, and both boys left the scene. Upon arrival of the police, Mrs. Larson reported the incident and informed the officers that the boys had snatched her handbag valued at \$30 and containing \$75.

The evidence showed that the pocketbook the boys were supposed to have taken was never taken from the home of the Larsons and was found there afterwards. Mrs. Larson stated that she was excited when the boy struck her husband and she thought that she had had her pocketbook with her.

Gets Life For Mere Assault

Former - Houston, Texas
8-12-44
HOUSTON — The little town of Conroe, Texas, whose nefarious atrocities against Colored Americans have made it one of the black spots of this citadel of democracy, went another step further in its nazi policy of racial hatred recently when the court and jury of local citizens sentenced Mrs. Rosetta Allen of Houston to life in prison on a charge of assault, with attempt to murder, against a bus driver who is alleged to have been a part of a mob of white men who severely beat her and a traveling companion near New Caney, June 23.

Scene Of Lynchings
Conroe has been the scene of several lynchings and reached a new high in the breach of justice when several years ago Bob White, a Negro charged with rape of a white woman, was killed in the courtroom there, while he was undergoing a new trial granted by the United States Supreme Court.

Mrs. Allen and Joe Mitchell, also of Houston, were reported to have been held in the Conroe jail for a

month without charges filed against them. Both were said to have been in a serious condition as a result of the beatings administered them by the mob and were held without receiving medical aid. 8-12-44

The first news to leak out of the town concerning the fate of the couple, reached the local NAACP branch here Monday, July 24, when Mr. Mitchell, who had received a release from jail by the law firm of Mandell and Wright, made a report to Mrs. Lulu White, executive secretary of the branch.

The trial of Mrs. Allen was typical of the trials of Conroe where Negroes are charged with violations of the creed of white supremacy. Sessions held late into the night and spectators who crowded every available space in the courtroom stayed throughout the session for fear of missing something.

Speaks For Self
Mrs. Allen was the only witness in her behalf. Two white women, Misses Junita Ruth Burns of Houston and Dorothy Snell of Livingston testified in behalf of Tom Pittman, driver of the Airline bus, who was cut in the fray.

According to Mr. Mitchell he and Mrs. Allen were attacked without provocations on their parts.

The two are reported to have left Houston on the bus Saturday morning, June 24, enroute to Lufkin, where Mrs. Allen was to get her mother, who had suffered a stroke. Mr. Mitchell stated that when they entered the bus, they found the rear seat crowded and seeing the next seat forward empty, they occupied it. Mrs. Allen, who had worked until 3 a. m., that morning, immediately fell asleep. 8-12-44

Driver Hits Victim
Mr. Mitchell said that he noticed the driver's discussion about having been inducted in the army, and the latter was not pleased about it. They were not molested until the bus reached New Caney; then the driver demanded that they get up and get on the back seat. Mr. Mitchell stated that he tried to arouse Mrs. Allen; then the driver came back and put a bag of some kind of ammonia gas under her nose (which is said to be strong enough to knock one's head back) and grabbed her by the belt of her slacks, hitting her in the mouth at the same time. 8-12-44

Dazed and not knowing what was happening, Mrs. Allen, Mr. Mitchell said, grabbed a souvenir pin knife

she had, and trying to ward off the bus driver, cut him on the arm and across the stomach. A number of the men on the bus who had been drinking are alleged to have run to the back and started beating the couple and forced them off the bus. Mr. Mitchell said that they beat and kicked him in the lower abdomen, until he managed to run away from them. He added that looking back and seeing how unmercifully they were beating Mrs. Allen, he returned and again was beaten; this time almost into unconsciousness.

Mr. Mitchell told the NAACP that in his dazed state of mind, he heard the men discussing burning them, thinking that they were dead. Their inability to find inflammables that would burn their bodies is reported to have saved them from a burning death. Mr. Mitchell said they were loaded into the bus, which was being driven by B. F. Manchaca of Houston, a passenger on the bus. 8-12-44

Unable To Talk

So severely were they beaten that Attorney Bliss Daffan of the Mandell and Wright firm said that when he saw Mr. Mitchell a month later, the latter was unable to talk coherently; thus, Mr. Daffan was forced to call Conroe to get the details on the case.

After putting the two back on the bus, one of the drunken passengers is reported to have gotten astride Mrs. Allen's prostrated body and beat her with a shoe, stopping momentarily to get a drink out of a whiskey bottle.

Sheriff Pat Lowe of Liberty county arrived on the scene and is reported to have asked what was going on. Mr. Mitchell said the mob told him that that two Negroes had been killed. Mrs. Allen and Mr. Mitchell were loaded in the sheriff's car, and according to the sheriff's testimony at the trial, Mrs. Allen, entered the bus, they found the rear seat crowded and seeing the next seat forward empty, they occupied it. Mrs. Allen, who had worked until 3 a. m., that morning, immediately fell asleep. 8-12-44

Put In Jail

Both victims were placed in the Conroe jail and it was not until Mr. Mitchell slipped out some information to his employer here, that the arrest was made known.

Mr. Harris was released on a no bill by the grand jury, while Mrs. Allen was held for trial on a charge of assault to murder and as a habitual criminal. The habitual criminal charge which under the state of Texas law is subject to a life of imprisonment, was placed against her after it was learned that Mrs. Allen had been convicted on swindling and theft, serving time in the state prison. 8-12-44

Goes To Jury

Mr. Gaffan said when he called Conroe to find out the circumstances surrounding the case, he was told by the chief deputy there, that Mrs. Allen would go before the grand jury the following morning. Later he received word from the deputy that he had been mistaken and that it was the trial that would be held the next morning. Mr. Gaffan said he contacted Judge Murphy there, and told him that he had not been given ample time to prepare his case and asked that the trial be delayed. He was informed by the judge that the best he could do was to get there as soon as possible.

A conference was held with the judge, district attorney, and Zinie Foreman, special prosecutor hired by the Airline bus company and Mr. Gaffan. The latter was given until the following morning to prepare his case. 8-12-44

Wounds Are Minor

The bus driver's wounds were of minor nature but a felony charge of assault to murder faced Mrs. Allen, which, if convicted, meant life in prison in lieu of the habitual criminal charge.

A motion for a new trial has been made by Mr. Daffan. Mrs. White of the NAACP announced that they have taken charge of the case and will fight to see justice done. Mrs. White said that she is calling upon the citizens of this community to contribute to the cause. Those wishing to make a contribution may do so by contacting Mrs. White at the NAACP office in the Pilgrim building.

Boy, 16, 2 Others Executed in Fla.
Baltimore, Md. 10-14-44

RAIFORD, Fla.—Florida "justice" triumphed again here Monday as three men, the youngest 16, went to the electric chair for the alleged attacking and shooting of a white woman on July 30.

James Davis, 16, youngest person ever electrocuted by the State; James Williams, 26, and Freddie Lane, 19, paid the penalty. The execution date, originally set for September 18, had been postponed on appeal.

FREED
Courier - Pittsburgh
Judge Frees Girls Convicted of Wearing Bathing Suits Pa. 10-14-44

COLUMBUS, Ga.—(ANP)—The victim of a wave of criticism because he had sentenced three girls to serve 12 months' terms for wearing bathing suits on a county highway, Judge E. G. Bowden Wednesday vacated the sentences and permitted the girls to go free. The prisoners, Josephine and Gussie Toliver, had been already transferred to the State prison

farm, to begin serving terms after their conviction on charges of "public indecency." They had been arrested wearing "dressmaker model" bathing suits along a country road after having gone swimming in a nearby creek.

The sentences were vacated after six of the city's best known white lawyers volunteered their services and discovered an error of procedure in the case, which they pointed out to Judge Bowden. The lawyers, Frank Foley, Will Worsley, Ed Wohlwander, Sr., Ed Smith, Theodore McGhee and Henry Pease, were prevailed upon to take the case by the Columbus World, a Negro weekly here.

Probe Jailing of Afro-American Soldier in Ala.

Baltimore, Md.
WALTERBORO, S.C.—(ANP)

—An investigation of the case of a soldier from the Army Air Base near here being held for six months on an Alabama chain gang was reportedly under investigation this week by the local NAACP. 8-19-44

The soldier, en route to Selfridge Field, Mich., from a basic training center at Greensboro, N.C., was convicted and imprisoned on reckless driving charges following an auto collision at Opelika, Ala., where he had reportedly stopped to visit relatives.

The investigation has been requested by the Washington bureau of the NAACP which acted upon a complaint filed with it by another soldier, both men being members of the 126th AA Base Fighter Unit, transferred here from Selfridge Field several weeks ago.

Military Authorities Ignored

The complaint states that the soldier, a private, was jailed without notification of military authorities, forced to take off his uniform and work from sun up to sun down while shackled. He had done forty-eight days of the sentence before managing to escape. 8-19-44

Trying to reach Selfridge Field after the escape, he was taken off the train in Atlanta and placed in a guardhouse by military police and later sent here. Only the story of his experience is reported as having spared him of serious difficulty with military authorities.

Arriving here, his hands were filled with sores and callouses from using picks and shovels. He related that he saw many prisoners whipped unmercifully and at least one whipped so that he died a little later.

A report on the matter is expected within a few weeks, leaders here said. The jailing of the private is reported to have occurred on April 14 of this year.

quitted after the two-day trial apportionment which still exists in which soldiers of his section despite of the Army's anti-discrimination order. clared that Flowers was taking minutes before a shower fifteen minutes before the driver was knifed two miles from the base here but is also hard to reach because of the poor transport. The town is not only two miles from the section in which the colored soldiers are quartered on October 4 of the night of June 24. Two other soldiers were ac-

Reduces Death Sentences for

NEW YORK.—W. D. Lyons, an obscure farm laborer in Oklahoma, now under sentence of life imprisonment for murder, pleaded for his liberty before the highest court in the land on April 26 through Thurgood Marshall, special counsel of the N.A.A.C.P.

The men were found guilty of men across the country in the largest mass trial Island. In addition to the sentences, the court used an order to load the ammunition at the Mare Island Navy Yard a few weeks after a completion of the explosion killed 322 court martial.

9 Soldiers Get Life Sentences

A tenth soldier was acquitted of murder, but was sentenced to 10 years' hard labor for being absent without leave. Sources which preferred not to be quoted in the War Department declared this was a terrifically stiff sentence for AWOL and would likely be cut down on review.

Fifty Mutineers Are Sentenced

The 12th Naval District announced the entire 50, convicted mutiny by court martial last month, drew "initial sentences" 50 years, but that Rear Adm. Carleton H. Wright, commander of the district, already has ordered mitigation of the sentences of 10 of the men, because of their youth or short period of service to prepare them for navy discipline in dangerous tasks.

Those killed in the Port Chica

White Man Goes Free,
afro American
Colored Man Held in
11-25-44
Soldier Shootings

Colored residents were pointing to Judge McCoy's action as a good example of the double standard of justice which plagues colored Mississippians. James Weinkright, white, was acquitted on charges of shooting with intent to kill Sgt. Sam Wallace of Camp Van Dorn. Sgt. Wallace is still in the station hospital in a critical condition. Joe Wilson, charged with shooting Pvt. Harold W. Hedgeline, white, also of Camp Van Dorn, was ordered held.

**Mr. Kelly Miller Jr.
Former-Houston
Convicted By
Texas
All-Male Jury**

Dr. Miller had been free on \$2,000 bond in the case, but after the jury had found him guilty, he was ordered remanded to jail by Judge James W. Morris, who set Thursday, November 9 as the day for sentencing the physician. Miller faces a maximum penalty of 20 years. Formerly a practicing physician in New York City, Dr. Miller is the son of the late Kelly Miller, well known dean of Howard University.

High School Senior Repulses White Man; Sentenced To Angola

Vernon High school, Mount Her- The girl's brother, J. C. Warren
man, Louisiana, was sentenced to a then went to the sheriff and ask
one-to-three year term in the Louis-for protection and was told th
iana State Penitentiary for defend- it would be best to hide Shir
ing herself from the attack of a that night, Mrs. Warren continu
white landlord, who had struck her and when the brother returned
n the face and broken her eye-the house where they had be
glasses, was tearfully related by living, he was met by five wh
the distraught mother of the girl, persons, armed with a breach-loa
Mrs. Jessie Warren of Franklinton, er shotgun. He recognized the
preparing supper for the family they were in an automobile.
when the white landlord went to "The people in the automob
the Warren home and told her to tried to get him to tell where h
come help him drive the cows out sister had gone and when he r
of the field. 11-18-44 fused they remembered the relat

"She didn't go; she told him that as soon as she had put the supper back where it wouldn't burn she would come. She did not go, and Mr. Irving came back to the house and began cursing her. She became frightened and would not go with him so he left."

water was from the well on Mr. "I went back on Wednesday at
Irving's place. Shirley and J. C. was told that the grand jury had
went to get the water. not billed Shirley for anything. The
"Shirley was carrying a gallon sheriff told me the district attorney
jug and was wearing her eye-had told him to keep Shirley un-
glasses when they met Mr. Irving. Friday, October 6.

On the side of the head and ran "I told him that I should be give
home." time to find a lawyer; he said th
Mob Threatens 11-18-44 I would have plenty time

When the girl returned to her home, her father had come in from work and decided that it would be unsafe for her to remain in the house after an altercation with Mr. Irving, Mrs. Warren related. So the girl was taken to the home of a relative.

"Shirley answered that she didn't
'kill him off.'"
Sheriff Testifies

The sheriff then related to the judge that the girl had seriously injured the white landlord, had "killed him off" and that he had spent two or three weeks in the hospital, Mrs. Warren said. The allegedly injured man was not at the trial, she remarked.

"I noticed that nobody who talked at the trial was sworn in, so I asked the judge if I could speak. I asked him to please give my child a trial. He said he would not," Mrs. Warren said, "and immediately told Shirley that she had to serve from 1 to 3 years in the state penitentiary. She screamed for me, and they took her out of the courtroom.

"I went to see her that same day; she told me she had been 'advised' to plead guilty by white people at the jail because 'it was the best thing to do' and that if she remained in the jail much longer the white people might break into the jail and get her," Mrs. Warren said.

11-18-44
"The child also told me that on several occasions the jailer and others at the jail had made advances to her, telling her they could make it easy for her. She said she refused all propositions. They took her off to the state penitentiary on Wednesday, October 11, and I am here to see if I can have her case placed before the pardon board," Mrs. Warren concluded.

Mrs. Warren was interviewed at the Peoples' Defense League office by Ernest J. Wright, promotional director of the league, and John E. Rousseau, Jr., of the New Orleans Informer-Sentinel staff.

Woman Appeals Afro - American Jim-Crow Fine

RICHMOND. — Mrs. Irene Morgan, fined \$10 and costs in Middlesex Circuit Court on a conviction of violating the State Jim Crow law on busses, has noted an appeal to the State Supreme Court.

Mrs. Morgan, who contends that she was an inter-State passenger

traveling from Hayes store in were two vacant seats in the rear of the bus. Mrs. Morgan was originally fined \$10 and costs in the trial justice court of Gloucester County, and the circuit court later sustained the verdict.

No Seat Provided

She further contended the driver of the vehicle ordered her to move to the rear when there were no vacant seats and that he failed to provide any seat for her.

The prosecution maintained that the appeal.

Expectant Mother Is Kicked By Bus Driver

World-Memphis, Tenn.

An altercation on a Normal bus on Main Street last Friday night led to an expectant mother's being kicked in the stomach and her husband's arrest, following a fight with the bus operator.

The principals involved are Mr. and Mrs. William Cooper, 21 South Parkway. 6-26-44

According to the more or less jumbled account given by the man and his wife to a World reporter, the situation developed when the bus reached Main and Vance Ave.

The Coopers had been out for a walk. The wife became tired and decided to board a Normal bus. They did and obtained a transfer to board a Chelsea-Lauderdale car on Main and Vance. When the bus reached the intersection it did not stop, according to the Coopers, although they had rung the stopping bell. Mrs. Cooper said she rang the bell again. The bus operator stopped on Main St. they were not sure where and came back to the rear. He began cursing and told them he had "a reason for not stopping the bus at Vance and Main." Other words passed between them. The bus operator resumed driving the vehicle. When it stopped again at Monroe and Main, Mrs. Cooper told the World reporter that she rushed to the front and rang out of the front door, "for fear the driver would not let them off at the rear." Her husband got off through the rear door.

When Mrs. Cooper got off the bus the operator followed her to the sidewalk at Monroe and Main. He cursed her and kicked her in the stomach, she said, and then turned and went into the nearby Pantaze Drugstore. Mrs. Cooper said she followed the operator to ask him why he kicked her. In the meantime, her husband was approaching and followed her and the operator into the drugstore.

When she asked the operator why he kicked her Mrs. Cooper said, he told her, "I don't have any talk for you".... and kicked her again this time in the side. She said she could not remember what happened after that. 6-26-44

Her husband took up the narrative at this point.... although, he had said previously, that he had nothing to say about the matter. He

said when he entered the drugstore he was struck in the face by someone. He wears eyeglasses, and being unable to see well without them, stated that he was unable to relate all that happened in the drugstore. He said, he told his wife to come out of the store when he noticed that the operator had gone to the rear of the store and had obtained a handful of bottles.

In City Court Saturday morning Cooper was fined \$16 on a charge of disturbing the peace; \$51 on a charge of carrying a dangerous weapon and \$11 on a profanity charge. His wife was fined \$11 on each charge of resisting arrest and profanity and \$16 on a charge of disturbing the peace.

Justice, Southern Style

White Soldier Cleared In Murder Of Boy, 10

Courier-Pittsburgh, Pa.

2-19-44

HAMLET, N. C.—Completely disregarding the meaning of the word justice, a coroner's jury exonerated Sgt. Jack Cook, white, of the wanton murder of a 10-year-old bootblack, John E. Bridges here last week. The farcical verdict declared that young Bridges "came to his death due to the discharge of a Negro, of Gum Springs in Fairfax County, was sentenced to 20 years in the penitentiary yesterday in Alexandria Corporation Court by Judge William P. Woolfs.

HOLD YOUR BREATH

The callous shooting occurred in a cafe near the railroad station here while the boy was shining the soldier's shoes. According to John Patterson, another bootblack, who was present at the time of the shooting, Cook asked Bridges if he didn't believe he would kill him.

When the boy answered in the negative, Cook told the boy to hold his breath and then deliberately shot him through the heart.

The Hamlet chief of police told the jury that the soldier appeared to be "highly under the influence of a strong drink" when he was arrested. 2-19-44

Cook, who was on his way from Camp Mackall, N. C., to Fort Benning, Ga., after a prisoner, was given back his gun after the inquest Friday night.

20-Year Sentence Burglary Penalty

Pleading guilty to a charge of burglary at the home of Miss Mary C. Nicol, 316 North Washington st., Alexandria, Edward M. Jones, 39

Dixie Justice

AUGUSTA, Ga.—"Dixie justice" operated here recently when a Negro orderly employed at the University hospital accidentally ripped a pair of hose worn by a white girl. He was fined \$102 in court but a Negro girl badly beaten by a bus driver was jailed after being taken to the hospital in a patrol wagon. 4-22-44

The hospital orderly was rolling a cart through the corridor when he accidentally brushed the cart against the leg of the girl, snagging her stocking. He apologized and went on his way. A few minutes later, two policemen arrested him. He was tried for "disorderly conduct" and fined \$102. People's Voice - N.Y., N.Y.

The young Negro bus passenger, Helen Brown, was beaten when she disagreed with the driver after being told to move back in the aisle where she was standing.

A Negro boy who refused to move on a bus recently, was dragged off the vehicle by two police officers, beaten and arrested. Local white newspapers' support the anti-Negro spirit here by playing down" brutalities of whites to Negroes.

GI Killer Goes Free

People's Voice

New York, N.Y.

DURHAM—Another white soldier-killer was freed by an all-white jury last week. Herman Lee Council, bus driver on a line owned by the powerful Duke interests, was found not guilty of the manslaughter charge by the jury after an hour's deliberation in the killing of Pvt. Booker T. Spiceley on July 8. 4-23-44

Council, driver of the bus, was charged with deliberately killing the soldier in cold blood after he had alighted from the vehicle. Witnesses, some of whom were white, testified at the trial that the driver walked to the rear of the bus when Spiceley got off and fired two shots at him, firing the last shot after the soldier had fallen to the ground.

The killing was reported to have

been the result of an argument between the two over the soldier's moving to the rear of the bus. The latter had moved back at the driver's request, and was said to have entered into good-natured banter with white soldiers who were on the bus on the evils of segregation.

BEATS NEGRO FINED, WARNED

4-22-44 Ill.

NEW YORK—(ANP) — Inferring that the defendant is one of a group that gives lip service to American principles of democracy but practices race discrimination, Judge Morris Rothenberg in the Washington Heights court Wednesday fined Fred Ploen, white, 38 years old, \$50 for insulting and beating John G. Hayes, a Negro member of the city parole commission, in a subway car.

Magistrate Rothenberg, who suspended a 60-day jail sentence, said: "Apparently the defendant is a member of that minority group who gives lip service to American principles of democracy, but who in their hearts harbor feelings of hatred and ill-will toward other minorities among our population and against the American way of life."

"They go about spreading poisonous doctrines of race superiority, which are repellent to all decently thinking American citizens and which have been denounced by the President of the United States, the governor of our state and the mayor of our city as a threat to the peace of our communities and to the unity of our nation, essential in time of war."

Policing the Wendell Neville Dormitory on charges of "disorderly conduct," they would give him a date. Cook, who was employed at the local navy yard, was accused of headquartering and police began to call white girls on the telephone and attempting to make dates with them. Detective Sergeant Hubert L. Blalock, who arrested Cook in a phone booth at Carver Homes, stated that for some time a man has been calling him to the phone, holding him to the phone, Thursday, the call was traced by police, and while the girl continued to talk to the man, holding him to the phone,

Given 6 Months And Fine For Phone Talk With White Girl
Journal-Guide—Norfolk, Va.
5-6-44
PORTSMOUTH—The old say-given six months in jail and a fine of \$100 and costs Friday that "talk is cheap" did not fine

the detective went to the scene where the call was being made, it was stated.

The officer testified that he yanked Cook from the booth, picked up the receiver and talked to the girl. Then he placed the man under arrest, he stated.

PLEADS NOT GUILTY

None of the girls at the dormitory admitted knowing Cook. Detective Blalock stated that he apparently talked to any one who answered the phone.

Cook entered a plea of not guilty. He said that he thought he was talking to a woman who lived on Green street.

The girl, who allegedly held the defendant in a conversation for police to make the arrest, is employed at a local laundry. Cook was originally charged with "making indecent proposals" but the charge was changed to disorderly conduct by W. H. W. Cassell, substitute justice, who meted out the punishment.

Jury Frees White Bus Driver In Durham Of 2nd Degree Murder For Killing Negro Soldier In Dispute

DURHAM, N. C.—Herman Lee Council, white bus driver, was acquitted Friday of second degree murder and manslaughter after an all-white jury deliberated about an hour on the case.

Council was charged with deliberately shooting Pvt. Booker T. Spicely, on July 8, following an argument over a North Carolina law which requires Negroes to sit in the rear of bus and other public transportation facilities.

The fatal shooting took place at a street intersection after the Negro soldier had left the vehicle. The driver had told Spicely to move to the rear of the bus, and an argument ensued with the Negro soldier finally complying with the order.

When the Negro soldier signalled that he wanted to get off the bus witnesses said that he went to the front, made a remark about democracy and the white bus driver being in civilian clothes, and then left. As the soldier got off the bus witnesses said the bus driver pulled a gun and fired two shots into the Negro soldier's body.

After the shooting, the bus driver proceeded with his driving, leaving the soldier lying in the street.

Florida Governor Spurns Protests, Speeds Execution of Negro Youths

By Eugene Gordon

9-9-44

Governor Spessard L. Holland, who did not want his native Florida's fair name "stained" with an extra-legal lynching, yesterday satisfied his supporters by naming the week of Sept. 18 as the date for the legal lynching of three young Negro men. James Williams, 26, Fred Lane, 19, and James Davis, 16, stood a two-hour "trial" on Aug. 31 for "rape" and "attempted murder." The whole business moving so rapidly that their court-appointed attorneys had no time to confer with them or to prepare a defense.

The point is that they did not

have a trial within the sense of the Constitution of the United States and the state of Florida.

During the two-hour "trial" mobs surged up and down the streets surrounding the Gainesville courthouse. The 300 militiamen and officers, called out by Gov. Holland to prevent an extra-legal lynching, marched before the courthouse doors.

The mob gnawed the militiamen were there just as window dressing.

Photos of the prisoners were sold among the mob. Bets were made 15-to-1 that the prisoners would get the electric chair. The militia's commander was cheered when rushing breathlessly from the courthouse, he announced jubilantly that the "trial" was over and that the men would die.

The Governor, even while the losers were paying off, was declaring to the press that he would set the legal-lynch date immediately, if the law allowed. A few days later his Attorney General assured him that the date could be set any time after a full record of the "trial" had been received from the sheriff.

He has now set that date.

An appeal by the young men's attorneys for stay of execution can stop the legal lynching. Nothing else can, since the Governor himself is eager for the killing.

The fight to prevent a Florida "Scottsboro" must go on.

Detectives picked up the mortally wounded soldier and rushed him to a hospital, but he died before receiving medical care.

Whites Protest N. C. Jury Verdict

10-28-44

DURHAM, N. C.—A number of the leading citizens here protested the acquittal of a white bus driver as a "miscarriage of justice," when freed from charges of shooting Pvt. Booker T. Spicer.

The driver, who deliberately left his bus to shoot the soldier, who was unarmed, was freed by an all-white jury drawn from a white panel of 75.

The jury disregarded a specific charge of the judge in the case. The judge told the jury that if the defendant did go outside his bus in response to a challenge, even though that challenge might have been accompanied by violent and abusive language, he thereby violated the law in this particular.

Prof. H. Shelton Smith, of Duke, writing in the Durham Herald-Sun, has expressed the view that the verdict for acquittal was the result, in part, of racial weighting against the Negro. Other individuals and groups have joined in protests over the outcome of the case.

Execution of 14-Year-Old Boy Too Much Even for Advocate of White Supremacy

MIAMI.—(ANP)—Though reaffirming his belief in "white supremacy" the electrocution of a 14-year-old lad in South Carolina was too much for the editor of Miami Life to stomach, he admitted editorially Wednesday.

"We have long advocated white supremacy in the South," read the editorial. "Born and bred in Georgia, we could scarcely feel otherwise. But we must confess our stomach sickened when we read the other day that South Carolina had executed a 14-year-old Negro child. What an indictment against South Carolina and its people . . . which state, we cannot forget, precipitated the Civil war."

It's the best proof that state rights can justifiably be curtailed. Such a thing could not have happened in enlightened states. We don't believe that Florida could stand for such 'justice.'

"Thank goodness most everybody we've talked to feels that same way. Otherwise we would be horribly ashamed of our fellow Americans who are citizens of South Carolina. Anyway, we feel like apologizing for them—and their inaction against officials who are so ignorant and brutal."

Indecency Jails White Virginian

NEWPORT NEWS, Va. — A white delivery man for a linen supply company here was fined \$50 and costs and sentenced to sixty days on the city farm last week on charges involving alleged indecent exposure in a beauty shop operated by Mrs. Ellen Tyler.

He is said to have removed his trousers on the pretense of providing Mrs. Tyler with a garment to wear so she could take off her uniform and send it to his plant for laundering.

Other Women Present

Six other women, including operators and customers, were in the shop when the white truck driver arrived on a routine delivery trip.

One of them is said to have made a futile attempt to grab his trousers and throw them in a stove to prevent his escape. He was arrested later on a warrant sworn out by Mrs. Tyler.

A boycott of the company is being threatened by the local beauticians' association as a means of forcing the driver's discharge.

15-Year Terms Meted 50 For Calif.

Mutiny; 40 Terms Later Reduced

Atlanta, Ga. Daily World — All the men were sentenced to fifteen years each. Afterwards, however, the commandant of the twelfth naval district reduced the sentences of 40 of the men to eight years each. He said the reductions were made in view of extenuating circumstances. The extenuating circumstances are believed to have been the facts that most of the men had perfect conduct ratings, that over half of them were under 21 years of age and that they had 21 years of experience in the Port Chicago explosion.

"Extenuating

Circumstances"

Are Analyzed

11-19-44

WASHINGTON — (N N P A) — Sentence of the fifty Negro sailors convicted of mutiny and disobedience of orders in California for refusing to load ammunition after their lives had been endangered by an explosion killing over 300 at Port Chicago, California, in July was pronounced Saturday.

The NAACP had maintained al-

15-1944

Punishment

Let The Guilty Be Punished

The investigation launched last week by the Federal Bureau of Investigation into the sordid slaying of a 66 year-old farmer and minister, alleged to have been committed by a group of white land-grabbers last March, will be watched with keen interest by Negroes throughout this country.

The testimony, contained in a sworn affidavit by the slain minister's son, sets forth the gruesome facts in bold relief. It is the story of an honest, God-fearing farmer and humble Negro minister, whose forbears had left to him a 220 acre tract of rich farm land suspected of having rich oil reserves, together with valuable timber. The land is said have been debt-free and thus became a high prize to be sought by unscrupulous men, bent upon appropriating it to their purposes. Failing in achieving their ends through peaceful means, they proceeded to get the Negro out of the way, by killing cutting out his tongue.

Perhaps no more sordid story of human depravity could emanate from a Nazi-controlled country. The same high-handed and ruthless procedure was employed there as the Nazi employ in dealing with conquered nations.

It will do no good to ask how such a thing could happen in the very shadow of the law enforcement machinery of the state of Mississippi. Yet one cannot cease wondering if the Negro people of the state have any rights at all deserving of protection and defense from the encroachment of white citizens, however unscrupulous these may be.

The Government, we hope, will not stop its investigation until every person participating in this crime is brought to speedy and certain punishment.

U.S. INDICTS 5 IN MISSISSIPPI

WASHINGTON, D. C.—(ANP)—

The department of justice announced March 23 that a federal grand jury in Oxford, Miss., had returned an indictment charging the sheriff jailer and three citizens of Lowndes county, Miss., with conspiring to deprive Negro prisoners of their civil rights by whipping, beating and otherwise mistreating them to obtain confessions of a crime.

Named as defendants in the indictment were William Jacob Propst, sheriff; William Luther Cole, jailer; and James Ambrose McCrary, Jr., J. Ellis McCrary and J. Flem Goolsby, all of Lowndes county.

The indictment charged that between June 26 and July 29, 1943, the defendants conspired to commit an offense against the United States by depriving six Negro pris-

oners of their civil rights, in violation of Section 88, Title 18, United States code, maximum penalty under this statute is a fine of \$10,000 or imprisonment for two years or both.

A second indictment returned by the grand jury on March 23 charges Propst and Cole on two counts with whipping and beating two other Negro prisoners in order to obtain confessions, in violation of Section 52, Title 18, U. S. code (civil rights statute). The maximum penalty under this statute is one year imprisonment and a \$1,000 fine, on each count.

The cases were presented to the grand jury, following an investigation by the Federal Bureau of Investigation, by Asst. U. S. Atty. Charles L. Sumners, under the direction of Asst. Atty. Gen. Tom C. Clark, in charge of the criminal division.

Woman Assaulted On Bus in Ark.

HOT SPRINGS, Ark. (Special)—Ministers, business men and civic leaders this week were united in a drive to raise funds for the defense of Mrs. Estean Burrell, of Prescott,

Ark., who is being held on charges of assault in connection with the knifing of a white man on a local bus.

The woman was arrested three weeks ago. She was riding on a bus when the man, a bank teller, abusively ordered her to give her seat to a white woman. At the time Mrs. Burrell was seated in the "jim crow section" (back) of the coach.

Drs. John F. Eve and H. H. Phillips, local physicians, went to Mrs. Burrell's rescue and posted bond for her release. At a preliminary hearing she was bound over to circuit court for trial.

Dr. J. Leonidas Leach, M. D., president of the Michigan State Association, NAACP, announced this week that his association has passed a resolution to contribute to the defense fund.

Thurgood Marshall, special counsel for the NAACP, said the Little Rock branch of the association would handle the case with support from the national office.—A.

TRIAL OF NEGROES FOUGHT Finning of 49 for 'Idleness'

FORT LAUDERDALE, Fla., Sept. 4 (P)—Broward County authorities promised today a full investigation of a Workers' Defense League charge that forty-nine Negroes were arrested and fined without proper trial in connection with an attempt to discourage idleness.

Aron S. Gilmartin of New York, national chairman of the Defense League, asked the investigation in letters to Gov. Spessard L. Holland and Senator Claude Pepper. County Prosecutor W. Gerry Miller said that the investigation would be made.

Mr. Gilmartin declared that about half the Negroes arrested were regularly employed stevedores at Port Everglades, Fort Lauderdale's harbor. He said that the enforced labor decree "seems to be a part of a general attempt to have Negroes continue working at the same menial task they had before the war."

Would Rush Fla. Executions

JACKSONVILLE, Fla., Sept. 15.—Attorney Gen. Tom Watson, notorious labor-baiter and white su-

premacist, today denied an Associated Press story that he had received a regularly filed appeal in the case of the three Negro boys sentenced to die Monday morning. Filing of the appeal would legally stay the execution.

It is not expected, however, that Gov. Holland will back Watson in his undue haste for prosecution, conviction and execution of the defendants once the appeal formally reaches the Supreme Court.

It was learned here that a representative of the National Federation for Constitutional Liberties and another from the Southern Negro Youth Congress left Jacksonville early this morning to visit the defendants in Ralston State Prison death house.

Diggs Begins Serving Term

LANSING, Mich. — (A P) — Sen. Charles C. Diggs began serving a three to five-year prison sentence last week when he came here to straighten out legal matters pertaining to his case. Sen. Diggs was convicted on a charge of conspiring to corrupt the 1939 state legislature.

Diggs was imprisoned when Judge John Simpson cancelled his bond, an action taken upon recommendation of Special Prosecutor Kim Sigler. Sigler explained that the time for an appeal from the sentence had expired. The court, it was learned, had heard nothing from either Diggs or his attorney, Harold E. Blessee of Detroit, and the former Michigan state senator lost his right to appeal.

Diggs was taken first to the Lansing City jail and was then transferred to the Ingham County jail where he is reported to have remarked that "I don't know anything about it, but I guess my attorney filed the wrong paper or something."

"There is still hope," Mrs. Diggs told reporters. "My husband has not been transferred to Jackson. His attorney appeared before the Michigan Supreme court Wednesday morning."

Indicated along with 19 other defendants for conspiracy to corrupt the 1939 state legislature, Diggs and Stanley Dombrowski were the only ones in the case who did not file motions for new trials. Dombrowski is now serving a prison term for perjury while Rep. William G. Buckely, another defendant who was denied a new

trial began serving his prison sentence on Sept. 11. Diggs is expected to be transferred to the state prison at Jackson, Tuesday.

white soldier protested saying: "We and threatened to paste him if he struck the woman again. Incensed over the incident, Sgts. Robinson, Hearne and Carey of our group told the white soldier him too, but from their position in the rear of the bus, not to strike further front so the colored soldier could have his. But the driver replied the colored soldier still could not sit there as the drunk, completely out, behind them was white. The colored soldier, without saying a word, stood up. 10-21-44

Driver Leaves Bus
"Flustered the driver grabbed his money box and left the bus. A little later another bus came along and the white passengers were asked to take it, all of them doing so excepting the drunk who was oblivious to everything. Shortly afterwards 11 police officers arrived and ordered all of us to the rear. (We had simply sat anywhere in the bus after the whites left and were told to remain on). Five of these officers remained on the bus and we were brought to Aiken and put in jail. This was about 8:30 Saturday night. Two military police witnessed the driver couldn't jailing, he said, but did not interfere but about 2:30 Sunday after-

Soldiers Freed, Trouble Averted

when they were sentenced and three others arranged (payment Tuesday after serving half a day in the chaingang. Aiken, S. C. — (ANP) — The release of five of the 11 Negro soldiers jailed and fined here a week ago as the result of an incident on a Valley Coach bus from Augusta, thwarted a general plan of Negro soldiers at Camp Gordon near Augusta, to "blast hell out of the jailhouse," it was disclosed Wednesday.

Soldiers, the informants say, had up secreted considerable ammunition for the scheme and had made plans for "riding in" behind non-commissioned officers. The fines were paid by first sergeants or company commanders. Three of the men paid fines immediately Monday night

noon MP Sgt. Armstrong arrived and told the men they would be tried Monday morning for "sitting next to white women," a deliberate fabrication of fact, the men contended. None of the men were permitted to notify the first sergeants or company commanders.

Court was held at six o'clock Monday afternoon with six police officers, two bus drivers and a manager of the bus company present. The driver, chief witness against the men, said they had beat him across the head and back. But the driver failed to exhibit a single bruise, the men charged. Sgts. Robinson, Carey and Gray pointed to this in defense.

The 11 soldiers were S. Sgt. Lewis Carey, Roanoke, Va.; S. Sgt. Leonard A. Gray, Chicago; Sgt. Aubrey Robinson of New Jersey; Sgt. Algia Hearne and Pvt. Leon Taylor, both of Philadelphia; Cpl. Lewis E. Davis, Brooklyn; Pvt. Cecil E. Lewis and Pvt. William A. Ball, Washington, D. C.; Pvt. Russell England, Baltimore; Pvt. J. T. Taylor, address unknown, and Pvt. William Stevenson, Chapel Hill, N. C., who has served 26 months in the Pacific war theater.

Takes Negro Woman From Chain Gang

CHERAW, S. C., (ANP)—

Following the release of an Associated Negro Press story two weeks ago, town officials here have removed from the street gang a Negro woman whose predicament had drawn protests from the Cheraw branch of the NAACP and the local chapter of the Negro Citizens' Committee.

It was disclosed that the woman had been sentenced to street cleaning and garbage removing after being unable to pay a fine and that no white woman convicted of a charge had ever drawn a similar sentence. When a committee of Negroes appealed to the mayor, Dr. I. S. Funderbuck, it was referred to City Judge Ratliff, who said that the committee should pay the woman's fine, if interested in her sentence.

However, following the appearance of newspaper accounts, the woman was immediately transferred from street cleaning. It is not known

whether she was transferred to the farm, where all white woman prisoners are assigned, or reposes in jail. Her reappearance on the streets here has not yet been observed.

Mother Here, Pleads For Aid, Help In Having Case Brought To Pardon Board

Mob violence broke out again in Louisiana when an angry mob armed with a breach-loader shotgun hunted down a 16-year-old girl and high school senior at Vernon High in Mount Herman, La., who had defended herself against the unfair advances of a white land owner, who had accosted her and slapped her after calling her a black S of a B—.

Mrs. Jessie Warren of Franklinton and guardian of Shirley Warren, told her story here and pleaded for assistance in having her daughter's case brought to the pardon board. The story as related Nov. 1 in a signed statement by Mrs. Warren follows:

That while Mrs. Warren had gone to Baton Rouge on August 4, 1944, to visit a relative who was ill there, Shirley, 16, had been approached by Shell Irving, white land owner of Franklinton, La., and had been asked by him to come and help him drive cows out of the field. Despite the fact that this was a most unusual request, Miss Warren told him that she would come as soon as she removed the pot which was on the fire. She didn't go immediately and Irving returned and began cursing and abusing her for not having come sooner. Miss Warren became frightened and did not go with him.

Water for the Warrens must be obtained from the Irving's well and when Shirley's brother, J. C., came home in the afternoon they went together to get water. They were met by the irate white land owner, who again began cursing her and calling names such as S— of a B— and ended it by slapping her in the face. Miss Warren, who was carrying a gallon jug, defended herself with it and struck him cutting him in the face. She and the brother left. She spent the night with some relatives.

The whites in the neighborhood were talking about getting a mob together and J. C. went to the high sheriff and asked for protection. Upon returning from the sheriff's home he was met by a group of whites in cars and asked where his sister was. He told them that his sister had run away from home. He noticed some people in the car, whom he recognized as Jimmy Fuzell, Daniel Irving and Will Fuzzell and also a shot gun hanging out of the window. They drove to the home of the relatives and asked for her and were told she was not there.

The following morning High Sheriff McLina arrested Shirley and placed her in the county jail where she was kept for sixty-six days under the pretext of "Safe-keeping." The Washington Parish Grand Jury met October 1 and the sheriff requested that the mother bring the birth certificate of the accused child.

The day of the trial Judge Bob Jones of Bogalusa told the defendant, "Shirley, you pleaded guilty of hitting Mr. Irving. Why did you hit him?" In response Miss Warren told him that he had struck her and broken her eye

glasses and she could only get loose by hitting him. The judge after hearing a statement from the sheriff as to the nature of the injuries of Irving sentenced the child from 1-3 years in the state penitentiary at Angola. Mrs. Warren stated that she had visited Shirley in the jail and she had told her that a number of the jail guards and the jailer told her that if she did "certain" things with them they would make it easy for her. She refused all of their propositions, she stated.

In a statement issued by Ernest J. Wright, promotional director of the People's Defense League, it was said that the Negro Youth Congress would give attention to the matter at the regular meeting on Friday night.

NAACP Issues Informer-Houston, Release On Burke Case

NEW ORLEANS—The New Orleans branch of the National Association for the Advancement of Colored People last week announced a serious protest against the conviction and sentence of Mrs. Alice Burke for allegedly defending herself against an attack on her person by a New Orleans Public Service company conductorette recent-

The release from the branch follows:

Justice Sleeps

Self-defense is a given right of every individual who dwells in a Democracy.

The trial of Alice Burke has caused many citizens to wonder if they have a right to defend themselves when attacked by another citizen. The New Orleans Public Service was sent a letter of protest along with statements of two witnesses who viewed the entire affair. These statements were given of their own free will and accord and in their own language. These people were instructed to be absolutely accurate, truthful and fair in giving these statements, and we have every reason to believe that the statements are correct. The branch also pointed out the impossibility of Alice Burke picking up, straightening out in a horizontal position the conductorette and hurling her through the window.

From the statements of witnesses, the conductorette attacked Alice Burke with the iron handle which is used to open and close the door. Alice Burke did not at any time strike the conductorette, but in act of self-defense pushed her away and

since the car was jerking the conductorette fell on the long end seat, leaned out of the window and proceeded to fall on the ground.

We ask, "What Is One Supposed to Do When Arrested?" Justice knows no color. At the entrance to the Criminal Court building, Justice stands blind-folded ready at all times to defend persons who are innocent and equally ready to punish wrong-doers.

Alice Burke was tried and convicted of simple battery—a woman of good character who has given her all for her country. Her husband stationed in the hospital for two years mentally deranged due to shell shock for carrying supplies to the Defenders of Democracy; her son, 17 years of age, volunteered in our great Navy with his mother incarcerated because the things that he is fighting for do not apply to her; her daughter, married to a soldier, is physically incapacitated due to a recent addition to her family. This was brought out in a statement of the physician who treated her. What more can a woman give to her country?

A plea of leniency was made in her behalf and with all respects to his honor we conscientiously feel that the sentence meted out was not in keeping with the facts of the case. If ever anyone deserves mercy, Alice Burke by her own character and the sacrifice her family has made for this country, deserves this mercy.

This is not a criticism of the judge who passed the sentence, but is an attempt to point out to the citizens of New Orleans the facts of the case with the hope that among New Orleans half a million, something may be done to relieve this unfavorable condition.

White Soldier Indicted For Sex Attack on Lad, 9

A white soldier, at his home in Alexandria, Va., on a furlough, who allegedly attacked 9-year-old James Arrington, 1108 Madison Street, same city, was indicted on Friday and will be tried by civilian authorities at his request.

Mrs. Rhoda Arrington, mother of James, and an employee of the Public Buildings Administration, said this week her son still is under the care of a private physician, Dr. O. V. Durant, 709 Pendleton Street, Alexandria. According to the story told The Tribune, James was on his way home from school between 4 and 4:30 p.m., Thursday, when he entered the Doniphan Building. He is said to have been forced by the soldier, vestigating reportedly discovered the victim had not been only out-

the soldier standing over him evidenced by the bulging of his eyes. The white soldier accused is stationed at a camp in Idaho.

10-14-44

10-28-44

11-11-44

11-11-44

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15-1944

JUDGE H. B. ABERNETHY

One of the most noteworthy contributions Wilcox County ever made to Alabama's largest city was to send Hustus B. Abernethy to Birmingham to become judge of the inferior court of Jefferson County. Judge "Ab" is dead at the age of 71, having been born at Black's Bluff in Wilcox County Sept. 11, 1872. His court was one of the unique institutions of the South, because it administered justice in its own way, and along very practical and commonsense lines. Yet it had the approval of the people of Birmingham and of the jurists of the Circuit Court whose pleasure it was to elect him term after term.

There was a lot of humor in his court, but in dealing with Negro offenders he was especially successful in making them feel that justice was being done. He created his own arbitration committees among them to help settle differences. Literally thousands of stories are told of quaint incidents about him and his court. His invariable test for charges of vagrancy was to examine the defendant's hands. A Negro whose hands were heavily calloused stood in danger of being convicted of vagrancy in Judge Ab's court, but a man with soft and smooth hands had to watch his step or he was gone to the "Big Rock." Very often Judge Ab would hear the facts of a case and then ask the defendant what he thought ought to be done with him, and not infrequently he permitted the defendant to name his own penalty. He had no patience with those who robbed or exploited the Negroes, and in many ways he showed himself the true friend of the members of the race among thousands of whom he had been raised in his native county of the Alabama Black Belt. Besides being a good and able judge on the bench, Judge Ab was a good friend, a congenial companion, a fine raconteur and story teller, and a man of firm and set convictions about right and justice. He leaves a record of good and effective service in Alabama which any man should be proud to emulate.—Alabama Journal (Montgomery).

Negro Lawyer Fined In Alabama Case

MONTGOMERY, Ala., April 14. (P)—Arthur A. Madison, Negro lawyer from New York, was fined \$2,500 and barred from practice in Alabama Friday on charges of violating a state law making it illegal for an attorney to act on behalf of a person, not employing him.

Judge Lomax Crum, of Montgomery County Court of Common Pleas, convicted Madison on all five charges brought by Circuit Solicitor Temple Seibels. The cases grew out of appeals from action of the county board of registrars in denying the petitions of five Negroes for voting privileges.

Seibels described Madison as "an agitator and disturber of the peace," in his final argument before the court. Madison, who conducted his own defense, declared he was employed by 16 persons to handle their registration, and that the five mentioned in the warrants against him were

"members of the group."

Specifically, Madison was charged with acting as attorney in behalf of five persons without having been employed by them. The statute he was accused of violating provides that "any attorney appearing for a person without being employed must, on conviction, be fined not less than \$500, and shall be incompetent to practice in any court in this state."

He did not indicate immediate action.

9 Negroes Convicted On Draft Evasion

Nashville, Tenn., Banner, January 6, 1944. Jackson, Tenn., Jan. 6.—(P)—Nine Negro youths have been convicted of Selective Service violation in Judge Marshal Neal Thompson, Edgar H. Thompson, Milton Oliver Thompson, David Marshall and Henry Lee Reaves were convicted yesterday. Joe Oliver McBride, C. M. Thompson, Robert Marshall and the Namon Marshall were found guilty of similar charges Tuesday. The Negroes—all members of a religious organization which they said objects to war—insist they would rather go to prison than enter the armed forces.

John Leroy Marshall, pastor of the sect, who is charged with obstructing the operation of Selective Service by advising the youths to ignore their draft board's orders, went on trial late yesterday. All of the Negroes had registered and been classified as conscientious objectors, but failed to report for assignment to non-combatant services. Sentence has not been passed on the group yet.

Youth Fined \$50 As 'Peeping Tom'

Daily World-Atlanta, Ga., 1-27-44. Charged in Criminal Court of Thursday before Judge John S. McClellan, John Taylor Moore, 16-year-old Booker T. Washington High School tenth grade student with being a "peeping tom," the lad was fined \$50 and given a 12 months suspended sentence.

It was charged in the accusation that Moore was caught peeping into a window at two women on Wilcox street, Dec. 28th, 1943, and when caught in the act he broke and ran. On being ordered to halt by a tenant of the apartment house, the youth was shot in the left arm when he failed to heed the command. It was stated he made his get-a-way, but was arrested at Grady hospital the same night when his mother insisted that he receive treatment for his wounded arm there.

Punishment

Two white men, who claimed they saw the lad, testified asby counsel for the girl. Judge Wood ordered a fine of \$50 paid, and because of his youth, and past record the lenient fine was imposed. Judge McClellan stated. He lived with his mother at 273 Fine Street, it was learned. Attorney Turner represented Moore.

Girl Fined \$50 On Disorderly Conduct Counts

Daily World-Atlanta, Ga., 1-28-44

Five-Man Jury Disregards "Not Guilty" Testimony

By SPIKE WASHINGTON (WORLD Staff Writer)

A Criminal Court five-man jury sitting before Judge Jesse M. Wood Thursday returned a verdict of guilty in the case of the state against Hattie Mae Bell, 16-year-old Booker T. Washington School tenth grade student, charged in an accusation with assault and battery upon the person of Police Officer S. E. Smith of Atlanta Police force in Terminal station on the afternoon of Tuesday, Dec. 21st, 1943.

After more than a score of witnesses had testified for and against the young school girl, who was allegedly beaten brutally by the police officer before being arrested, during the altercation preceded the actual beating of the girl, the counsel for the defense, T. Walden, representing the local branch of the National Association for the Advancement of Colored People, and Solicitor Lindley W. Camp, presented their arguments to the jury pointing to evidence submitted at the all-day hearing.

OUT 45 MINUTES

Following these pleas, the jury was charged clearly by Judge Wood, and after deliberating for 45 minutes the verdict of guilty as charged was returned by the all-white jury. Immediately after the verdict was announced there was a sad silence over the court, practically all of the hundreds hearing the case being startled beyond the least utterance. There was no demonstration as the school girl eased quietly from her chair at the defense table to face the judge for sentence. After a short preli-

minary talk, and following a plea made an attempt to arrest her after she had been found searching the bag of a soldier in terminal station. Mr. Camp stated that the girl was beaten only after she had launched an attack upon the officer, and that the officer was justified in striking her in his effort to subdue her. The defense stated that the girl and another girl had accompanied two soldier friends to the station, and that the soldiers had gone to the ticket office when he two officers, Jones and Smith, approached them and began questioning them as to what they were doing with the soldiers, and why. After further questioning, it was learned that one of the girls ran, and on leaving the Bell girl at the scene she was attacked by Officer Smith when she asked why she was being arrested.

The Bell girl was tried in Recorder's Court before Judge A. W. Calloway last month, this hearing lasting two days, but after long parades of witnesses had testified at that time, the case was sent to Criminal Court and the girl placed under \$200, bond on charges of disorderly conduct, drunkenness, and resisting arrest. The accusation Thursday had been changed from these listed in the city court hearings to assault and battery upon the person of the officer, who is said to have been in the performance of his duties at the time of the terminal station disturbance.

Witnesses for the state Thursday were mostly those who had given testimony in the city court. Practically all of them told the court that the girl was under the influence of intoxicating liquors, was disorderly and did resist arrest, and that the officer was justified in beating her unmercifully as the counter-charge against the officer pointed out. Witnesses for Miss Bell told of the brutality of the state officer, of his slapping her, beating her about the body with his fists, and kicking her while she was down on the floor at the station. The state offered seven witnesses Thursday, and also testified were the alleged victim of the attack, Officer Smith, and his co-worker at the station at the time of the occurrence, Officer W. A. Jones, making a total of nine persons heard for the state. Another who was brought to the stand was an officer from the identification bureau who presented a photograph of the Bell girl, taken the day she was allegedly beaten and cuffed by the officer, and which was offered as evidence that the girl was not injured about the face as defense witnesses contended, and that her clothing was not torn from her body.

Attorney Walden further contended to the jury that there had been a sharp conflict in testimony of state's witnesses, and in material evidence presented by the state. It is not known just what future action will be taken by the NAACP through Attorney Walden, but it is said that an appeal will probably be heard and the case taken to a higher court. In the meanwhile the fine was paid and the girl placed on probation pending the decision in the appeal if and when it is made.

MANY TESTIFIED

Eleven persons, all eyewitnesses to the occurrence except two, these being a public health nurse, who was used as a character witness, and the grandfather of the defendant, who attested to the correct age of the girl, were heard from the stand. Most of these too had been heard at the previous hearing in city court, and gave just about the same testimony as before. The state, with Solicitor Camp prosecuting, contended that the girl was drunk, disorderly, resisted arrest and that she spat in the face of Officer Smith when he

made an attempt to arrest her after she had been found searching the bag of a soldier in terminal station. Mr. Camp stated that the girl was beaten only after she had launched an attack upon the officer, and that the officer was justified in striking her in his effort to subdue her. The defense stated that the girl and another girl had accompanied two soldier friends to the station, and that the soldiers had gone to the ticket office when he two officers, Jones and Smith, approached them and began questioning them as to what they were doing with the soldiers, and why. After further questioning, it was learned that one of the girls ran, and on leaving the Bell girl at the scene she was attacked by Officer Smith when she asked why she was being arrested.

BRILLIANT ARGUMENT

After making a splendid showing through witnesses from the stand, Attorney Walden presented before the jury one of the most brilliant arguments ever heard in the court in recent years. He contended that a young girl 16 years old did not have the nerve nor the courage to attack an officer in the presence of another officer, several military police officers and several short patrolmen, and that she was beaten by Officer Smith because she was insistent on being told why she was being arrested. It was also brought out that a white woman, whose identity was known given, out of sympathy for the girl, intervened in the girl's behalf, but was told to "get back and to attend to her own business," when she attempted to cover the nakedness of the girl, whose clothing was torn from her body in the assault on her by the officer.

Attorney Walden further contended to the jury that there had been a sharp conflict in testimony of state's witnesses, and in material evidence presented by the state. It is not known just what future action will be taken by the NAACP through Attorney Walden, but it is said that an appeal will probably be heard and the case taken to a higher court. In the meanwhile the fine was paid and the girl placed on probation pending the decision in the appeal if and when it is made.

The case created quite a sensation in the city and hearings in city and Criminal courts were attended each time by record crowds of interested members of both races, who have followed the case from its beginning of last December.

Helena, Ark., March 18 (P)—he changed his innocent plea on the peonage trial of Albert Sydney Johnson, 50-year-old Cross-tenced to two and one-half years in Federal Court here today when

Sugar Fraud Charge Dropped By Government

For Peonage 3-19-44

2 1/2 Years Louisville, Ky

Farmer Gets

Courier-Journal

Ernest Pelowell, 16 and white, was tried and convicted recently for murder of a small girl. The state surrounded his trial with every safeguard, then gave him 20 years in a correctional institution.

15-1944

20-Year-Term Meted Atlanta Man On Burglary Charges

By SPIKE WASHINGTON
(WORLD Staff Writer)

An Atlantan, 27 year-old James David Petty of Jeffers St., will be 47 years old when he walks out of prison if the sentence given him Wednesday in Superior Court of Fulton is carried out based on the verdict returned in his case by a 12 man-jury. He got 20 years, no more, no less.

Petty, who has quite a police record in Georgia, Florida and as far up as New York City, contended to the last that he was innocent, and that he was the wrong man charged in an indictment with burglary of the Borekoff Iron Works, a company doing business with the government in production of certain war materials.

NOT GUILTY HE SAYS

The counsel for the defendant, J. Gordon Newman, agreed with Petty. After putting up a strenuous fight for his client, he stated that Petty was not only prosecuted, but was persecuted. Of course this was outside of court, where stern-faced Judge Paul S. Ethridge was on the bench. Attorney Smith said that Petty was a victim of circumstances, indicted and convicted on charges of breaking into the Borekoff plant, allegedly stealing checks from the bookkeepers desk, and cashing several of them. He said that Petty was linked with the burglary based on the fact that he had worked for the company just prior to the burglary, and that he resembled the man who was passing the checks belonging to the company.

But the evidence showed otherwise, despite the pleadings of Petty and his lawyer. The state produced a delivery boy from a grocery who identified Petty as the man to whom he delivered 66 cents worth of groceries and cashed a \$2.50 Borekoff Company check. He was certain the defendant was the same man. Borekoff Sr., and Jr., stated that Petty worked for them up to one or two days before the burglary and returned only to get some back pay due him.

STORE OWNER CERTAIN

Then there was the lady running the store where the lad worked who delivered the 66 cents groceries to whom he claimed was Petty. She said that Petty was in her store on Hunter several hours before the call for the de-

livery asking her to cash a check for him for \$5, which she said she refused to do because she did not know the man. She further said that a call came asking that an order be sent to a Jeffers St. address, which amounted to the 66 cents. She sent her boy with the order, and change for \$5, not a \$5 check, requested by the man who called. She was positive also that Petty was the man presenting the \$5 check that day to be cashed.

Police Detective Chester told the court and jury that Petty had several of the Borekoff checks on him when arrested, and that testimony just about sewed the case up for the state. There were other minor witnesses taking the stand, but the damage had been done, and after staying out 45 minutes the jury came back with a verdict, "we the jury find the defendant guilty as charged and set his punishment for not less than 20 years, not more than 20 years, closing another chapter in the life of James David Petty, who must be incarcerated for 20 years of his life behind prison walls, just as he was enjoying young manhood age."

LONG ROAD AHEAD

Twenty-years is a long time and probably would have been the best years of life for this young man who must pay for his deeds if he is guilty. If he isn't guilty then justice has been miscarried and another soul must suffer for the sins of someone else.

Last seen of Petty he was professing his innocence, although evidence presented pointed directly against him. His lawyer was just as firm that he was innocent and a victim, and stated that a new trial would be asked for his client.

But guilty or not guilty, "bad records, no matter how old they are don't help the accused and the probable contributing cause for the conviction of this young man Wednesday was the fact that he had been in trouble, and serious trouble at that, before, not only in his home city Georgia, but in other parts."

"Crime doesn't pay" is an admonition that will last through the ages, just as it has come down through ages past.

Punishment

CONVICTION OF GEORGIA SHERIFF, POLICE UPHELD

1-22-44

By L. P. BUCKSELL, New Orleans Bureau

NEW ORLEANS, La.—"Under the overwhelming weight of the testimony," the U.S. Circuit Court of Appeals, convening here Saturday, upheld the conviction and sentence of M. Claude Screws, sheriff of Baker county, Ga.; Frank Edward Jones, policeman of the city of Newton, Ga., and Jim Bob Kelley, an arresting officer, acting under also of Newton, who assisted the sheriff and policeman in the brutal beating, which resulted in the death of Robert Hall, 22-year-old Baker county farmer and mechanic, then a prisoner in their custody.

The complaint filed against the sheriff alleged that, on the evening of Jan. 29, 1943, Hall was arrested in his home near Newton, handcuffed and placed in the automobile of Screws, who was assisted by Kelley, and it further alleged that, in the early hours of the morning of Jan. 30, 1943, Hall was beaten about the head with a blackjack while handcuffed in the front of the Newton court house, after which he fell to the ground unconscious and was dragged up the concrete walkway through the court house into the jail in the rear where he was left on the floor of the jail and, later in the day, the handcuffs were removed from his dead body.

FALSE ARREST

Though evidence to substantiate the charge was never produced or presented, Hall's arrest was for alleged theft of a truck belonging to John C. Derms, white, who, according to information, denied swearing out a warrant for the colored youth's arrest.

Oct. 7, 1943, Screws, Jones and Kelley were convicted in the Georgia federal court and were sentenced individually to three years imprisonment and payment of a \$1.00 fine. They appealed the case with the U.S. Circuit Court of Appeals.

REVENGE SEEN AS MOTIVE

Suggested as a possible motive for the Jan. 29-30 arrest and brutal beating of Hall was revenge. Information discloses that, weeks prior to the subsequent lynching, Screws conducted a campaign to collect all the guns in the county owned by Negroes and, during the drive, arrested Hall for possession of firearms. During the January 1943, term of court, however, Hall was freed and his weapon returned.

OFFICIAL OPINION

The U.S. Circuit Court of Appeals returned the following opinion: "In the instant case, there is evidence to the effect that the alleged warrant of arrest was prepared by the sheriff and was a spurious afterthought. Be that as it may, he insisted that he was acting under color of authority in making the arrest. Assuming that the sheriff was possessed of a valid warrant, although there was evidence in the case to the contrary, the beating of a prisoner to death is not necessarily an incident to the making of a lawful arrest. The wrongful beating of a prisoner by

Civilians Given Heavy Sentences For Disorderly

5-27-44

AUGUSTA, Ga.—(A N P) — A general court martial was demanded by commissioner John B. Kennedy of the public safety department Monday for two Negro soldiers under sentence by a civil court before releasing them from the city stockade.

Military heads at Camp Gordon planned to confer with officers of the fourth service command, Atlanta, in an effort to secure permission to try the men before a military court and secure their release from the civil authorities. The soldiers, Cpl. William L. Sherman and Pvt. Robert Missouri, were arrested Sunday afternoon as charges of interfering with an officer and tried in recorder's court. Each was sentenced to \$100 or 90 days for interfering with an officer and Missouri was given an additional fine of \$100 or 90 days for drunk and disorderly conduct. Both men chose the stockade.

GET HEAVY TERMS

Five civilians, four Negro women and a man were also given heavy sentences.

Commissioner Kennedy reported that Negro MP's "just stood around" and did nothing to assist the city police when the disturbance flared. He declared that he would prosecute military offenders in civil court "when we get no cooperation from the Negro mili-

tary police." 5-27-44

"We are going to ask military authorities to do certain things in the future if soldiers arrested by city police are to be turned over to them" Kennedy said.

"They (the military authorities) broke an agreement with us Sunday when military police did not cooperate with city officers," he declared. 5-27-44

ASK COOPERATION

The trouble started when police received a call to report to a Negro area about 7 o'clock Sunday, where they found four Negro women only partly clad, Kennedy said. When the officers arrested the women the Negro soldiers interfered, he said.

Two of the officers radioed police headquarters for help and both military and civilian police responded to the call.

USE TEAR GAS

A huge crowd which assembled was dispersed when police used tear gas.

All the soldiers about were loaded into busses and taken to Camp Gordon. 5-27-44

The area was patrolled for the next few hours by officers carrying heavily loaded rifles.

Although no one was reported seriously injured, a recent unpublished account discloses that a civilian policeman was almost killed by the soldiers.

Boy, 14, Dies in Chair For Slaying Two Girls

Columbia, S. C., June 15 (P).—A 14-year-old Negro boy was put to death in the State's electric chair today for the confessed slaying of two young white girls of Alcolu, who were fatally beaten with a heavy railroad spike while they were out picking wild flowers.

The Negro, George Junius Stinney, Jr., was the youngest person ever to die in the electric chair here. Stinney was followed to the chair by Bruce Hamilton, 21, another Negro, who had been convicted of a rape charge at Spartanburg. 6-17-44

Negro Woman's Conduct Brings Fine Sentence

Apparently Willie Mae McNabb, 27, Negro woman living at 1028 North 18th Place, hadn't heard of Senior City Recorder Henry Martin's recently announced policy of giving defendants the "limit" where the evidence showed they were guilty of stirring up trouble between Negroes and whites.

to life imprisonment for attacking a white woman will focus attention on Boston courts in future sentences imposed upon white men for similar offenses. We trust the courts will be equal in their judgment since anything less would be paying tribute to race discrimination. May Boston attorneys take note.

JUSTICE IN BOSTON
The Quarantine Commission is forthcoming for the judgment of criminals, white or colored, convicted of attacking women in the state of Massachusetts. We appreciate judges who try to be fair just as we oppose certain papers which play up such acts when committed by colored. The recent conviction of two colored men sentenced

News - Birmingham, Ala.
In City Recorder Court the other day, Judge

His pronouncement was made in convicting a white collector charged with having talked abusively to a Negro woman about a bill and with having drawn a pistol. The defendant was sentenced to six months in jail and fined \$100 and costs on disorderly conduct charges and fined \$50 and costs on pistol charges.

6-18-44
It is our conviction that the great majority of our citizens, white and colored, are fully aware of this need and show their realization of it by their conduct. As a matter of fact, the great majority, white and colored, have no inclination and are not in the least likely to do anything to arouse ill feeling. One of the most heartening things about the situation is the very obvious effort being made in behalf of mutual understanding and good will by so many white and Negro citizens alike.

But, unfortunately, not all of the members of either race are so well-balanced and considerate. The others, particularly, should give heed to warnings such as that expressed by Judge Martin.

6-22-47
Pleading guilty Wednesday more than a dozen charges of assaults with intent to murder, assaults with intent to rape, assaults with intent to rob, and one count of misdemeanor before Judge A. L. Etheridge in Superior Court of Fulton, a 38-year-old Atlantan drew prison sentences totaling not less than 23 years and not more than 50 years.

He was Walter Brown who confessed to crimes extending over a period of nine years, and who was serving a Georgia sentence of 20 to 30 years when he escaped in 1937 and fled to South Carolina, where he admitted he kept up his crime record and on being apprehended there drew prison sentences totaling 60 years.

Georgia, where he picked up where he left off. On his pleas Wednesday he admitted that he had figured in robberies, assaults, shootings, attempted rapes and when all counts in the several indictments returned against him here this year were totaled they numbered 12, with sentences being imposed on him in each.

On making his pleas before Judge Etheridge, with E. E. Andrews, assistant Solicitor general, representing the state, Brown through his counsel, George F. Manley, and in his own words asked for the mercy of the court which was given him, Judge Etheridge indicated through the light sentence. 6-22-44

Appearing in court as witnesses for the state were more than 15 persons, all who had previously identified Brown as their assailant, and all who admitted without even his slightest denial that they were his victims during the earlier part of this year when a considerable number of these cases listed with police went unsolved until Brown's arrest a month ago. Witnesses were members of both races.

NEW YORK — Bayard Rustin, co-secretary of the race relations department of the Fellowship of Reconciliation, on Monday began a three-year term in Federal prison as a result of his sacrificial fight against Army jim crowism.

Rustin, who attended Wilberforce University and the City College of New York, registered in 1940 as a conscientious objector, but in November, 1943, refused to report for his physical examination preparatory to assignment to a conscientious objectors' camp.

He based his decision on both religious and racial grounds.

"Conscription for war," he wrote to his draft board in explaining his action, "is inconsistent with freedom of conscience, which is not merely the right to believe, but to act on the degree of truth that one receives, to follow one's own vocation."

"Today I feel that I must use my whole being to combat by non-violent means the ever-growing racial tension in the United States . . . "

Declaring that the Conscription Act "denies brotherhood." Rustin

"Such segregation is based on the moral error that racism (American) can overcome racism (Fascist); that evil can overcome evil, that men virtually in slavery



can struggle for a freedom they
are denied. 3-4-44

"This means that I must protest racial discrimination in the armed forces, which is not only morally indefensible, but also in clear violation of the act."


Rustin is a member of the Society of Friends (Quakers), and after graduation from college did volunteer work for the American Friends' Service Committee, both in this country and in Puerto Rico.

At the time of his arrest on January 16, Mr. Rustin was scheduled to go to Baltimore to help organize a non-violent movement there.

George, just in the sev
died. 7 22

George, just in the seventh grade died.

Thousands of hearts were twisted Friday morning when the state took the life of the youngest citizen ever—that of George Stinney, Jr., a fourteen-year-old colored youth from Alcolu, who had con-



ored and white comes to public



Walter Davis, negro sentenced to life imprisonment for the fatal shooting of Police Officer Raymond Mathis here in 1937, was among 44 applicants for parole turned down yesterday by the State Pardons-Paroles Board.

Board records showed Davis' trial jury had refused to bring in a court-directed verdict of guilty with life in prison. Instead the jury ordered the death penalty. A high court later upheld the life sentence, according to the record.

Among five granted parole was Reube Prickett, sentenced to 15 years in Tallapoosa for homicide.

7-28-44

MONTGOMERY, July 28.—Gov. Chauncey Sparks, in the 11th hour yesterday, commuted the death sentence of Henry Floyd to life imprisonment.

Floyd. Henry County Negro, known as Preacher Floyd, was to have been electrocuted in Kilby Prison one minute after midnight last night, after conviction of mur-

UTICIA, Miss. —(ANP) — Although testimony disclosed that Pvt. Charlie L. Magee and Sandy Magee, brothers, shot Ernest Conn, white cafe owner, in self defense last February, they were sentenced to life imprisonment and death, respectively, last week.

OR CHANGING
anta, Ga.
H. Mc CRAY
 George, just in the seventh grade
 died. 7 22 66

There was no attempt to excuse the crime to which the boy confessed; but attention was called to the case of a sixteen year old white boy from Beaufort County, who committed the identical crime on one five year old white girl. A-who is under sentence of two

years. Governor Johnston held that the colored boy's crime was more brutal. Can one mode of death be more brutal than the other? Mr. Johnston asserted he believed in abiding by the decision of the courts. When the U. S. Supreme Court, the nation's highest tribunal, ruled that Negroes were entitled to vote in the Democratic Party of Texas, Mr. Johnston called a special session of the South Carolina legislature for the purpose of circumventing the court's decision and blated more loudly than ever in effect: "Supreme Court."

Negroes shall not vote." Now, he pleads, "I believe in our courts."

Three years ago a white man in Columbia was convicted of committing criminal assault upon a twelve year old colored girl and was given the token punishment of three years (white men are not considered brutal and deserving of death who commit rape upon colored women in South Carolina). A year later, Governor Johnston pardoned the man. And the list of men pardoned by Mr. Johnston suspending judgments made by the people, is long. It would be interesting to learn how many of these have been colored

7-23-44

But, this is an election year. Governor Johnston aspires for a higher office. He has committed himself to "persecution of the Negro" and white supremacy; and these must prevail in all cases. Had it not been election year, young Stinney would probably have died just the same.. A few months ago when Rep. John Long of Union proposed to do away with capital punishment because it had taken the life of a white woman—that glorious human being for whom so many colored men have had to die, Rep. Marion Winters of Berkeley County, reminded that the electric chair was kept in South Carolina for Negroes.

We get disturbed over such queer carriages of what is called "justice" sometimes. Someday hope to report on a few of the "rever told stories" on the rap charge in South Carolina. But young Stinney died because Negroes in South Carolina permitted him and many others to die, grow up with but half a chance to live the life of a primitive and yet be constricted to the "straightest and narrowest" path.

Negroes in South Carolina are "the outside looking in." They can use not a single vote for Olin D. Johnston as governor, nor, any of the other public officers. And although it is expected that public officers will discharge the duties of their offices fairly, honestly and justly, and the record shows a painful divergence of opinion.

the Until the colored people sh
ru- vote, shall become registered a
be qualified voters, until they sh
Mr. say, "you shall not pass because
in your prejudices," there will
the more George Stinneys and conti
me ued discriminations against the

Twenty-day Workhouse sentences were imposed in Juvenile Court yesterday upon Andrew J. Bradford, 42, and his wife, Mrs. Mary Bradford, 22, both Negroes.

West, on charges that theyor clothing. Case workers told at approximately midnight Monday their 7-year-old son's hands Judge Lawrence Wetherby that day.

behind him and left him at home the boy's hands were swollen twelve hours without food, water when he was found at the home

15-1944

Augustans Are Victims Of One Sided Justice

Accidental Hose Ripping Results In \$102 Fine

5-17-44

AUGUSTA Ga.—(A.N.P.)—When a colored orderly employed at the University hospital here accidentally ripped a white girl's hose last week, he was fined \$102 in recorder's court. But when a colored girl was beaten by a bus driver and a colored boy was the victim of police brutality no punitive measures have been taken against them.

The case involving the colored orderly at the University hospital occurred when he was rolling a cart through the corridor, and accidentally brushed against the leg of the white girl employee, reportedly the niece of John B. Kennedy, commissioner of public safety here, causing a tear in her hose. The orderly, named Williams, apologized to the girl, who made no reply and went his way thinking the incident closed. In a few moments, however, two policemen arrested him. He was tried for disorderly conduct in recorder's court and fined \$102.

The bus situation after a short lull in unpleasant incidents, is back to normal. A young colored girl, named Helen Brown was badly beaten when she agreed with the driver after being told to move back in the aisle where she was standing. She was carried to the hospital for treatment in the "Black Maria" and later to jail it was learned. 5-17-44

Last Sunday, a colored boy refused to move on a bus and the driver went in search of police. He returned with two police officers and dragged the boy off the bus, beat him, then arrested him. When bus passengers discussed the incident in loud tones, the driver stopped the bus, cursed them, and threatened to put them off if they did not keep quiet. 5-17-44

Local newspapers are said to support the anti-Negro spirit by playing up Negro crime and misdeeds and playing down the

atrocities of whites to Negroes. No newspaper accounts are given of brutality accorded Negroes on buses.

Virginia College Dean Appeals Disorderly Conduct Fines

Special to Journal and Guide

CHARLOTTESVILLE, Va.—Dr.

T. B. Livingston, widely known minister and dean of Virginia Theological Seminary and college at Lynchburg, was fined \$20 and given a 60-day suspended sentence on a disorderly conduct charge following a hearing in city police court here on December 15. Dr. Leon Ransom of defense counsel, immediately filed notice of an appeal and the case will be heard at the next term of City Corporation Court.

Justice J. Callan Brooks placed a \$10 penalty on the disorderly conduct charge, and imposed an additional \$10 fine on a charge of resisting arrest. The proceedings constituted the first round in the case which had its beginning on November 22, when Dr. Livingston was taken off the streamline train of the Southern Railroad, while enroute to Lynchburg from Philadelphia.

OTHER MEMBERS OF DEFENSE COUNSEL

Associated with Dr. Ransom on the defense staff were, E. O. McCue Sr., white Charlottesville attorney, who originally appeared for Dr. Livingston, and who was responsible for the hearing being delayed until December 15; S. W. Robinson of Richmond, Va., and W. S. Duiguid of Lynchburg. The preliminary hearing was held on November 30.

C. W. Smith, conductor of the train from which Dr. Livingston was evicted, testified at that time that the defendant was seated in car number 2, seat number 7 when he—the conductor—took over the train in Washington.

After being informed that a "colored man" was seated in a white car, the conductor told the court that he approached Dr. Livingston and asked his nationality. To this query, the conductor testified, the defendant replied that it was "none of your business," and an argument ensued.

ADDRESSED AS "BOY" 1-1-44

The testimony showed further that Dr. Livingston was addressed as "boy." City Police met the train here and five officers placed

handcuffs on the defendant and took him off the train. It was also testified that the conductor tried to get the receipt from Dr. Livingston which had been given in exchange for his ticket. This receipt carried the number of the train, car and seat number assigned to him when he purchased his ticket in Philadelphia.

At the conclusion of the testimony offered by the arresting officers at last week's hearing Mr. McCue made a motion that the case be dismissed. The motion was opposed by Littleton W. Wood, City Commonwealth Attorney. The defense counsel argued that the Charlottesville ordinance had no jurisdiction over interstate travel and maintained that the defendant was not guilty of disorderly conduct when he refused to move from the seat for which he had a ticket, upon the order of city police.

ARREST CALLED UNLAWFUL

It was further suggested that the defendant could not have resisted arrest since his arrest was unlawful in the first place. 1-1-44

Justice Brooks denied the motion and ruled that the evidence showed it to be just another distortion, who originally appeared for Dr. Livingston, and who was responsible for the hearing being delayed until December 15; S. W. Robinson of Richmond, Va., and W. S. Duiguid of Lynchburg. The preliminary hearing was held on November 30.

NEGRO TAXI BANDIT GIVEN 30-YEAR TERM
5-25-44
HUNTSVILLE, May 25.—(Special) —Vick Martin Negro laborer who held up Taxicab Driver William Crutcher and robbed him of about \$12, was convicted of highway robbery by a jury in the Circuit Court and punishment fixed at 30 years imprisonment. 5-25-44

George Clay, Negro slayer of Isom Collier another Negro, in a road-house brawl, was found guilty of murder in the second degree and sentenced to a term of 25 years.

Punishment

Ark. Farmer Defends Home; Gets 10 Years

1-8-44

By DWIGHT MacDONALD

NEW YORK—Section 2998 of Pope's Digest of the Statutes of Arkansas states that "Every man's house or place of residence shall be deemed and adjudged his castle." And Section 2999 provides that any attempt to enter another man's house "in a violent, riotous and tumultuous manner" for the purpose of assaulting him "shall be justifiable homicide."

That's the law in Arkansas—if you're white. If, however, you are colored, then you may be sent to the penitentiary for 10 years for defending your home against "violent, riotous and tumultuous attack, even though the attacker suffers no injury. That is, if the attacker happens to be white.

This is literally what happened to a Negro sharecropper named Tee Davis, who is now appealing a 10-year prison sentence passed on him last September in the Circuit Court of Crittenden County, Arkansas.

DOOR KICKED IN

One night last spring, Tee Davis and his wife heard a battering at the door of their little shack in the village of Edmondson. Davis asked who was there, and was told "Mr. Weaver," which meant nothing to him. (He had recently moved into the community.) The man outside began to curse and shout. He started to kick the door in, splitting it from the bottom halfway up. Davis then fired both barrels of a shotgun through the lower part of the door, grazing Weaver's hand but doing no further damage. Weaver then drew a pistol and fired several shots into the house. At this point, two other white men came up and ordered Davis to open up in the name of the law. Testimony ON BOTH SIDES at the trial agreed that this was the first time Davis was told that law officers wanted to enter his house. He at once opened the door and surrendered his gun. He then learned that Weaver and his companions were looking for another Negro who had stolen some cows, and were searching all the Negro homes of Edmondson.

10-YEAR SENTENCE

For resisting a WHITE man who tried to break into his home at night, Tee Davis was convicted of "assault with intent to kill" and sentenced to prison for 10 years. Behind the savagery of the punishment is the fact that Davis is not only a Negro but is also guilty of another "crime": membership in the Southern Tenant Farmers' union. Several years ago, in fact, Davis spent some time in jail for his part in a cotton-pickers' strike called by the STFU. The white man (Weaver) is said to be a leading spirit among the local planters in trying to break up the union. He is also the defendant in a lawsuit brought by the STFU several years ago, and still pending.

The town of Edmondson has an interesting history. At one time, many years ago, it was entirely owned by Negroes, who bought the land and founded the community. David Levinson, Philadelphia attorney, has appealed to the Secretary of War for clemency in behalf of five Negro soldiers who were sentenced to long terms by a court-martial at Mabry Field, Fla., on mutiny charges. Leo M. Jones and William J. Flemmons, Jr., were given 15 years each, while Joseph R. Kent, James E. Crawley and Arthur Boyd were given 13 years each, sentences which Levinson argued were excessive and discriminatory in light of the nature of their offense. According to the evidence, the three men were prisoners in the guard house when they defied a sergeant who had ordered them out of the enemy especially directed at their country as bravely and as

RIVAL NEGRO GANGS ATTEND SENTENCING Times-New York, N.Y.

Clemency Sought for 5 Negro Soldiers Jailed for Mutiny

Judge Calls Brooklyn Youths In to Watch Him Send Boy to Sing Sing for Shooting 6-23-44

Kings County Judge Louis Goldstein had members of the "Robins" and the "Beavers," rival gangs in the Bedford-Stuyvesant area of Brooklyn, present yesterday when he sentenced Joseph Parker, 16-year-old Negro member of the "Robins," to ten to twenty years in Sing Sing Prison for first-degree assault. The jurist warned the thirty-two members of the rival groups to break up their gangs, threatening that they, too, would go to prison if they committed any vicious crimes.

Parker, who had previously pleaded guilty, was charged with shooting Joseph Foster, another 16-year-old Negro, when the latter declined to admit that he belonged to the "Beavers" when Parker accosted him on the night of March 28 at the corner of Tompkins and Jefferson Avenues, Brooklyn. As a result of a wound in the stomach, Foster spent a month in Kings County Hospital.

After sentencing Parker, who had been in trouble before, Judge Goldstein said to his special audience:

"I had you brought here for the sole purpose of giving you a sound warning of what will happen to you if you commit any vicious crime. At the same time, I beg of you, for your own good, that you turn over a new leaf at once by disbanding and divorcing yourselves from any of these so-called gangs. Become decent, respected and law-abiding young men for the good of your own future and the happiness of your parents and friends. 6-23-44"

"The court has directed that the members of the two criminal gangs known as 'Robins' and 'Beavers' be brought into court. These two gangs, together with members of another gang known as the 'Marauders,' visited Prospect Park on May 20 and almost caused a riot when innocent citizens were assaulted with weapons.

"These gangs of young loafers and hoodlums have and are creating serious disturbances which have created a dangerous and menacing situation on various public conveyances, in subways, in our parks and on our streets."

At the request of Judge Goldstein, Police Captain John McGoe of Gates Avenue station spoke. He said that while 13 to 17-year-old boys in the Bedford-Stuyvesant area thought it smart to form gangs the Police Department and other public agencies wanted to help the youngsters, and the police had no desire to arrest them.

The Rev. Thomas S. Harten, Negro pastor of the Holy Trinity Baptist Church, also urged the boys to break up their gangs and

to "cultivate respect for and to be courteous to others." Playgrounds were not the cure for juvenile delinquency, he said, adding that "there must be religious and spiritual influence in the home."

DANCER WHO 'HIT' ETHEL WATERS FOR \$23,000 GETS 1 TO 10 YEARS Afro-American - Baltimore, Md. 2-26-44

HOLLYWOOD (ANP) — Arch-Savage, 25-year-old dancer and ex-secretary of Blues-Shouter Ethel Waters, was convicted by a Los Angeles jury here last week of the theft of \$23,000 in cash and jewelry from the home of the singer-actress.

A crowded courtroom was silent as the dancer was sentenced to from one to three years in San Quentin by Superior Court Judge Newcomb Condee, who had earlier refused Savage's attorney permission to file a probation plea, and denied motion for a new trial after passing sentence.

Savage, who came to the coast as a member of the cast of "Cabin in the Sky," and who recently appeared as the dance partner of Anise Boyer in the stage show, "Sweet 'n' Hot," denied Miss Waters' charges that he pilfered two of her trunks on July 6 of last year, taking \$10,000 in cash and \$13,000 in jewelry.

Locksmiths Testify
Damaging evidence was produced by two locksmiths who testified that Savage had hired them to make two keys to fit the locks of two trunks belonging to Miss Waters and a lock to a dressing closet. 2-26-44

According to the dancer, he had stayed at the Waters home for a lengthy spell, during which time he many-a-time was co-occupant of the singer's bedroom. There was no rental charges, he said.

Miss Waters testified that she had been a real friend to Savage. She told how she left the dancer in charge of things while she was in San Francisco on a two weeks' stage engagement. During her absence, Miss Waters declared, Savage moved. Upon her return she found that her trunks and dressing closet had been tampered with to the tune of \$23,000.

According to Miss Waters, Savage later admitted taking the money but refused to return even a part unless she agreed to sign over her \$13,000 automobile and the deed to the Waters home at 2127 S. Hobart Street. Neither money nor jewelry was recovered.

Maid Ordered Not To Whip Children World - Memphis, Tenn Except Own Ever Again By Judge

Camille Kelly In Juvenile Court 6-26-44

The Negro maid who whipped a 9-year-old white child for conviving in the stealing of several bottles of soft drinks from a truck the child's cries, and came to the Wilson home. He allegedly pulled a knife and ordered the maid to stop whipping the child. During the course of the argument that followed, M. Lee said she told the white intervener, "Well, since you have taken charge of the matter, I guess I'll leave you to take care of the children." 6-26-44

A white neighbor, a man, heard the child's cries, and came to the Wilson home. He allegedly pulled a knife and ordered the maid to stop whipping the child. During the course of the argument that followed, M. Lee said she told the white intervener, "Well, since you have taken charge of the matter, I guess I'll leave you to take care of the children." 6-26-44

With that remark, she left the Wilson home. The white man proceeded to take the children away (four of them).

A short while later Mrs. Lee returned to the Wilson home and started to finish the cleaning job she had begun. Not long after she had started the white man who had taken the children returned and said, "Is this these children's home?" Mrs. Lee replied, "Yes." He said, "Well, I feel they have a right to be here." She said, "Well, since you took them away, I felt that you meant to take care of them until their parents returned, especially since she told me to take care of them until they returned from work, and now you have taken them over."

Mrs. Lee, who is a native of Victoria, Miss., with a brother in the United States Army, states that she will not defy Judge Kelly's ruling.

She said this despite the defense plea put up in her behalf by Mr. E. D. Wilson, 338 South Orleans street, father of the children whom Mrs. Lee nurses, in addition to her duties as maid in the Wilson home. Mrs. Lee does not wish to become further involved in trouble with the Juvenile Court nor the Memphis police.

In an interview last Saturday, Mrs. Lee, the mother of two children, a boy and a girl, one six and the other five years of age stated that she had been instructed by Mr. and Mrs. Wilson to discipline their 4 children (left in her charge as they performed their various jobs) to punish their children when she thought they needed it.

One day during the latter part of last week, several of the Wilson children met a soft drink truck in the street near their home, and stole several bottles of drinks from it. When the maid learned of the act, she called the oldest child, Barbara Ann Wilson, 9 years old, to task to give an account of the incident. In the course of the conference Mrs. Lee decided to whip the child. She secured several

This woman made the second call to the police, who responded, and arrested Mrs. Wilson, the maid, and the child who was punished.

The police made their arrest on the basis of the complaint made by the white neighbor. 6-26-44

In city court the case was dismissed when Judge Carruthers ruled that he could not punish the maid inasmuch as the parents condoned her whipping of their children. However, the child had been placed in the custody of the Juvenile Court, and Judge Kelly.

Judge Kelly took the position that "parents have no right to delegate their authority over their children, so far as corporal punishment is concerned, to any other than blood relative, or close kin. She ordered the maid not be found guilty of punishing any other children except her own."

Mrs. Ida Lee is the mother of two children. She and her husband have lived in Memphis for four years. 6-26-44

The Wilson family came from Water Valley, Miss. Mr. Wilson states that he is "for everybody being given justice... even Negroes... so long as Negroes 'stay in their place.'" He stated that he was born and reared in the Deep South, and understands the traditional relationships existing in this region between the races... but he could see 'no harm in a Negro maid's punishing of his children, so long as she acted within reason."

Mrs. Lee admitted that she has punished the Wilson children at least two times. She stated that she will follow Judge Kelly's orders.

She and the Wilsons admitted that the maid's services will be continued at their home, and that they will comply with Judge Kelly's orders.

Mrs. Lee was dismissed from a charge of assault and battery against the Wilson child in City Court. In Juvenile Court, she was warned not to repeat her punishment of the white children.

Negro Grocer Again Sentenced On Boys' Story 6-10-44

Edward Harvey, 55, Negro, grocer at 1200 W. Jefferson, yesterday was given a \$100 fine and sentenced to fifty days in the Workhouse by Juvenile Judge Lawrence Wetherby after testimony by five white youths that Harvey recently had purchased stolen jewelry from them. The loot was obtained from

name as Alberta Brown of Bradford, was fined \$100 and costs and given six months in jail by Judge Henry J. Martin yesterday in city court after demanding Saturday that the white people riding on the Valley Bus Line give up their seats to Negroes. Complaint was filed by Mrs. Anna Mays, Pinson. A Negro woman who gave her

White Fined \$100 For Slapping Negro

By JOHN LeFLORE

(Defender Staff Correspondent)

MOBILE, Ala.—The milestone or a reasonable facsimile thereof reached this city in the Deep South this week!

Consider these sensational developments in this traditionally Confederate stronghold:

1. For the first time in the city's history, a white man was given a stiff fine of \$100 for slapping a colored woman "without provocation."

2. Four white men who brutally assaulted several Negroes without provocation were arrested and charged with assault with intent to murder.

Behind the sudden change in law enforcement tactics in Mobile is the feeling of leading white citizens that this Alabama city was grievously libeled by Northern newspapers which recently referred to the Philadelphia race hate strike as something to be expected in Mobile rather than in the "City of Brotherly Love."

Furious because Philadelphia's anti-Negro transit strikers were compared with lawless race rioters in Mobile, law enforcement officials here launched an unprecedented race rights drive to prove that "it can't happen here."

Sheriff William H. Holcombe, who announced the arrests of the four white men charged with promiscuously attacking Negroes, warned against such practices and said:

"These arrests were made after a thorough investigation in which it was shown the Negroes were grossly mistreated. Such a thing will not be tolerated in Mobile — despite statements to the contrary by the newspapers of New York and Washington."

Sheriff Holcombe's remarks were aimed at editorials published in Washington and in New York concerning racial trouble in the Philadelphia traction strike. The newspapers, in identical editorials, said:

"No doubt some way will be found of restoring the traveling facilities of the city (Philadelphia) so that wa production schedules can be resumed. That is important, but there is another aspect to the strike that is of much wider significance. That is the rather frightening flare of race prejudice that might be expected of Mobile, Ala., but not of Philadelphia."

To prove to the nation that racial attacks will be handled here, the sheriff's department declared that the full force of the law would be thrown against race haters in Mo-

bile.

Sheriff Holcombe stated that the four men arrested for assaulting Negroes had driven around Mobile in an automobile, stopped Negroes at random and proceeded to attack them. At least one victim was clubbed, he said.

"Our investigation shows these Negroes were grossly mistreated. We have arrested the persons we feel responsible and will exert all our efforts to have them punished to the full extent of the law," he announced.

Charged with two cases each of assault to murder in warrants sworn out by Deputy Herman Blake, the white men were listed as J. O. Privett, 32, 411 S. Franklin street; J. E. Strickland, 17, 60 Fifth avenue; J. W. Denley, 17, of 1056 Palmetto street, and Bill Dolbear, 20, of Saraland.

One of the colored persons attacked, Edward Johnson of Prichard, testified that as he was walking down Craft Highway from his home, an automobile drove up beside him and a person whom he identified as Privett struck him down with a bludgeon.

For the past several years, numerous Negroes have been brutally attacked by whites riding in automobiles. In one instance a colored man, waiting for a bus in a residential section, was shot and killed by white mobsters cruising about in an auto. No arrests were made.

Plead Guilty

Howard Edwards Jr., a colored youth, was also recently attacked in Crichton, a suburb of Mobile, with a heavy timber by whites in a car. Walking along the highway with a girl, Edwards had his shoulder dislocated from the force of the blow.

When arraigned before Interior Court Judge Tisdale J. Touart last week, Privett and Dolbear admitted their guilt and entered pleas of guilty to charges of assault with intent to murder. Denley and Strickland pleaded not guilty to the same charges and had their cases continued. Strickland was subsequently freed when evidence was introduced to show that he was asleep in the back of the car at the time the attacks took place. Privett and Dolbear were bound over to the grand jury under \$1,000 bond each.

On a charge of slapping a colored woman, City Judge William Bekurs fined Paul L. Brunson, white, of Bay Minette, Ala., \$100 or 90 days in jail last week.

Police Officer Shade, who witnessed the attack, arrested Brunson, who could give no reason for his slapping the colored woman.

Judge Bekurs warned Brunson, "Acts of that nature will not be tolerated on either side, white or colored." However, it is known that in the past when white men slapped

colored women, the blame was almost invariably placed against the colored women. Trouble between the races has been frequent on buses and in the crowded downtown shopping districts.

Observers believe that publicized expressions of Negrophobic political demagogues and vicious anti-Negro editorials in many southern newspapers, animating the racial prejudices of bigoted whites, are two of the primary causes of friction between the races here as well as elsewhere in the South.

The fines were paid by first ser-**WHITE GIs FRIENDLY** completely out, behind them was
geants or company commanders. "A few miles out of Augusta, a white. The colored soldier, without
Three of the men paid fines im- white soldier who had a double saying a word, stood up.
mediately Monday night when they seat, pulled one of our boys down**STRIKES COLORED**
were sentenced and three others with him and the two sat there **WOMAN** **10-21-44**
arranged payment Tuesday after talking. Behind them was a white "At Warrentville, a colored lady
serving half a day on the chain-drunk. The driver came back and with a small boy got on the bus.
gang. ordered the colored soldier up. The Noting the situation, she asked the
Staff Sgt. Leonard A. Gray of white soldier protested saying: "We driver to have the drunk moved
Chicago, one of the men who paid fight together, so what is wrong up to one of the vacant front seats.
Monday, said the group had with our sitting together?" The driver refused, whereupon she
mounted the bus for a social af- "The driver told him 'It's the laws said he'd wait for a later bus if
fair for servicemen in taken of the South.' The white soldier he'd refund her fare. Obviously
When we got on," he said, "there got up saying he would take a seat angled, the driver handed her the
were several vacant seats. Sever- further front so the colored sol-fare and then struck her on the
all white passengers were occupy- dier could have his. But the driver face with his fist. A white cor-
ing a whole seat unto themselves, replied the colored soldiers still poral and the white soldier who
that we stood up. couldn't sit there as the drunk, had left his seat because the col-

fabrication of fact, the men contended. None of the men was permitted to notify the first sergeants or company commanders.

Court was held at six o'clock Monday afternoon with six police officers, two bus drivers and a manager of the bus company present. The driver, chief witness against the men, said they had beat him across the head and back. But the driver failed to exhibit a single bruise, the men charged. Sergeants Robinson, Carey and Gray pointed to this in defense.

TWO TRANSFERRED

Two of the men have been transferred to other camps, it was learned here Sunday night. They are Sergeant Robinson, who has been transferred to Camp Rucker, Ala., and Sgt. Carey, now at Camp Breckenridge, Ky. 10-21-44

The 11 soldiers were S/Sgt. Lewis Carey, Roanoke, Va.; S/Sgt. Leonard A. Gray, Chicago; Sgt. Aubrey Robinson of New Jersey; Sgt. Algia Hearne and Pvt. Leon Taylor, both of Philadelphia; Cpl. Lewis E. Davis, Brooklyn; Pvt. Cecil E. Lewis and Pvt. William A. Ball, Washington, D. C.; Pvt. Russell England, Baltimore; Pvt. J. T. Taylor, address unknown, and Pvt. William Stevenson, Chapel Hill, N. C., who has served 26 months in the Pacific war theatre.

15-1944

Treatment

MISS. OFFICIALS CONVICTED FOR MISUSE OF PRISONERS

Plaintiff - Kansas City, Kansas
4-21-44
Aberdeen, Miss., April 21. (AP)—A former sheriff and four other men of Lowndes county, charged with conspiring to deprive Negro prisoners of their civil rights, were given heavy fines and suspended sentences by Judge Allen Cox, according to an announcement Tuesday by Hubert Stephens federal court clerk.

The indictment charged that Negro prisoners were whipped and otherwise mistreated to obtain confessions. Former Sheriff William J. Probst who placed himself on the mercy of the court, was fined \$500; J. Ellis McCrary

and James Ambrose McCrary, Jr., were fined \$500 each; J. Flem Goolsby, \$200, and Jailor William Luthe Cole, \$100. The latter four, according to Stephens, pleaded guilty of the charges.

Each of the five men was given a suspended jail sentence of 18 months and placed on probation for two years. Probst and Cole are also alleged to have beaten two other prisoners in an effort to obtain statements concerning complaints which the prisoners are said to have made against their ill treatment.

Woman Who Tossed World - Memphis, Tenn. Conductor Out Of

Car Convicted

NEW ORLEANS — (ANP) — A lice Burke 22, who was recently charged with throwing a conductorette through a street car window as a result of an altercation in the business district, was convicted in criminal court last week, on a charge of aggravated battery.

Conductorette Quigley accused Mrs. Burke of boarding her car and saying that the door was closed on her arm; when the conductorette denied the charge, the passenger attacked her.

Many of the Negro passengers gave testimony that the Quigley woman was in the wrong and struck Mrs. Burke with the iron door handle. Several civic organizations have come to Mrs. Burke's assistance. She was placed under a \$1,000 bond.

Soldiers Freed From Aiken County Chaingang

ARRESTED ON TRUMP
ED UP BUS CHARGE
10-19-44

Two White Soldiers
Protest

REFUSAL OF SEATS TO
NEGRO SOLDIERS

AIKEN, S. C.—(ANP)—The release of five of the 11 Negro soldiers jailed and fined here a week ago as the result of an incident on a Valley coach bus en route from Augusta, thwarted a generally known plan of Negro soldiers at Camp Gordon near Augusta, to "blast hell out of the jailhouse," it was disclosed Wednesday.

Soldiers, the informants say, had secreted considerable ammunition for the scheme and had made plans for "ridin in," behind non-commissioned officers. The fines were paid by first sergeants or company commanders. Three of the men paid fines immediately Monday night when they were sentenced and three others arranged payment Tuesday after serving half a day on the chaingang.

Staff Sgt. Leonard A. Gray of Chicago, one of the men who paid fines Monday, said the group had mounted the bus for a social affair for servicemen in Aiken. "When we got on," he said, "there were several vacant seats. Several white passengers were occupying a whole seat unto themselves, but we stood up. A few miles out of Augusta,

a white soldier who had a double-vacant front seat. The driver pulled one of our boys off the seat, she'd wait for a later bus if there talking. Behind them drunk who was oblivious to everything. Shortly afterwards er came back and ordered the 11 police officers arrived and soldier protested, saying, "We ordered all of us to the rear. sodlier protested, saying, "We (We had simply sat anywhere fight together, so what is wrong in the bus after the whites left with our sitting together?" and we were told to remain on.) "The driver told him 'it is the Five of these officers remained he'd refund her fare. Obvious-on the bus and we were brought ly angered, the driver handed to Aiken and put in jail. This her the fare and then struck was about 8:30 Saturday night." A white corporal and the white told at the jail they would be soldier who had left his because released Sunday morning. Two the colored soldier couldn't sit military police witnessed the in it, grabbed the driver and jailing, he said, but did not in threatened to paste him if he eterfere, but about 2:30 Sunday struck the woman again. In afternoon MP Sgt. Armstrong censured over the incident, Sgt arrived and told the men they Robinson, Hearne and Carey ol would be tried Monday morn our group told him, too, buting for "sitting next to white from their position in the rear women," a deliberate fabrica of the bus, not to strike her a tion of fact, the men contend ed. None of the men was per mitted to notify the first se geant or company commanders. Court was held at six o'clock Monday afternoon with six po lice officers, two bus drivers and and a manager of the bus com pany present. The driver, chief witness, against the men, said they had beat him across the head and back. But the driver failed to exhibit a single bruise, the men charged. Sgts. Robinson, Carey and Gray point ed to this in defense. Two of the men were trans ferred to another camp, it was learned Sunday night. They are Sergeants Robinson, who has been transferred to Camp Rucker, Ala., and Sgt. Carey, now at Camp Breckenridge, Ky. The eleven soldiers were S.

Sgt. Lewis Carey, Roanoke, Va.; S. Sgt. Leonard A. Gray, Chicago; Sgt. Aubrey Robinson, New Jersey; Sgt. Algia Hearne and Pvt. Leon Tavior, both of Philadelphia; Cpl. Lewis E. Davis, Brooklyn; Pvt. Cecil E. Lewis and Pvt. William A. Ball, Washington, D. C.; Pvt. Russell England, Baltimore; Pvt. J. T. Taylor, address unknown, and Pvt. William Stevenson, Chapel Hill, N. C. who has served 26 months in the Pacific war theatre.

Prisoners In Ga. Will Doff Stripes

ATLANTA — (ANP) — Gov. Ellis Arnall Wednesday hailed the approach of June 1 because that is the date when the use of stripes to clothe prisoners is ended by legislative enactment.

Arnall said he is glad to see the date approaching because "it makes me sick to ride along Georgia highways and come upon a gang of striped prisoners, no matter whether they are white or black, every 10 miles."

His reaction is similar to that of the later Gov. Thomas W. Hardwick who called such prisoners "Georgia zebras" and tried to have stripes banned at the time he abolished the use of the lash in Georgia in the early 1920's.

Ask War Dep't. Probe On Soldier Sentences

COLUMBIA, S. C.—(ANP)—The War Department to make a complete investigation of the events leading to the arrest, trial and conviction of 11 Negro soldiers at Aiken, the letter read. "If the facts substantiate the reasons we have received, it appears that a grave injustice has been visited upon Negro soldiers in uniform. Our two organizations are as a result of such things can happen to Negroes in uniform in South Carolina, and nothing is done about it. We respectfully request a thorough investigation of the alleged mistreatment of our soldiers. We are sure that county officers overstep their authority in this case."

Human Life Cheap On Prison Farm

Daily World — Atlanta, Ga.
12-9-44
LITTLE ROCK, — (ANP) — Charging the Arkansas parole system with too much politics, Chief Deputy Prosecutor Bryon R. Bogard, addressing the Greater Little Rock Ministerial Alliance at the YWCA last week, said it places the rehabilitation of the short-town violators in the hands of "rapists, murderers, and criminal repeaters, life-termers who are more interested in gaining favor of the wardens than in correcting these under their charge."

Questioning the state's right to studying remedial and invited the repeat a balance of \$383,000 in its prosecutor back to attend their next penitentiary fund while none but meeting, December 18.

convict guards are employed, Bogard reflected that "no effort is made to send the convict back into society a better man than when received."

LIFE IS CHEAP

"Human life is cheap, while property is salvaged in our penitentiary," Bogard asserted as he compared Arkansas' panel system with those of eastern states and with the federal system.

He told how the federal system of punishment, for infraction of prison rules, forbids the prisoner from mingling with fellow prisoners and denies him the right to partake of complete prison rations.

"Compare this system to Arkansas' panel system, which operates in reverse," he stated. "When a convict enters Cummins farm, he is stripped of all privileges, hence none can be taken from him for further offense. Physical punishment is his lot from the outset."

TOO MUCH POLITICS

"Convicts, employed in severest physical labor in cotton fields from daylight to dark in hot weather forced the production standard which many cannot reach, would hardly be punished further for infraction of prison law by solitary confinement in the shade."

"Such punishment would be heaven to the prisoner after his daily lot. Hence prisoners must undergo physical punishment as a means of correction. There is too much politics in the parole system," he said.

It is rumored that the most barbaric methods are used at this penal farm of any throughout the nation. Negro prisoners are whipped almost daily and many die from brutal treatment and lack of food. These are buried on the farm and no mention is made of their deaths.

The ministers appointed a committee to work with Bogard in

ARKANSAS PRISONERS RECEIVE MOST BARBARIC TREATMENT OF ANY PENAL FARM, DEPUTY SAYS

12-16-44
When Inmate Is Whipped to Death He Is
Just Buried On Farm and Nothing More Said

PRISON GUARDS ARE ALL CONVICTS

LITTLE ROCK—(ANP)—Charging the Arkansas parole system with too much politics, Chief Deputy Prosecutor Bryon R. Bogard, addressing the Greater Little Rock Ministerial alliance at the YMCA last week, said it places the rehabilitation of the short-torn violators in the hands of "rapists, murderers and criminal repeaters, life-termers who are more interested in gaining fewer of the wardens than in correcting these under their charge."

Questioning the state's right to report a balance of \$383,000 in its penitentiary fund while none but convict guards are employed. Bogard reflected that "no effort is made to send the convict back into society a better man than when received."

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of food. Those are buried on the farm and no mention is made of their deaths.

The ministers appointed a committee to work with Bogard in studying remedial legislation, had invited the prosecutor back to attend their next meeting, December 18.

Sailor's Wife, Baby, Her 2 Sisters Jailed

8-19-44
AFRO-AMERICAN — Baltimore, Md.
Slapped White Bus Driver Who
Refused 2-Trip Slip, Struck Her

BALTIMORE.—A sailor's wife, with her 17-month-old baby, and two teenage sisters were all jailed in Central police station, Friday afternoon when the wife, Mrs. Doris Franklin of 207 Bethel Court, was charged with hitting a bus driver in the face.

Fined \$30 and costs, Mrs. Franklin testified that she hit back after the driver shoved her arm twice and refused to give her a two-trip slip.

The incident occurred on a "Q" bus in the vicinity of Orleans Street and North Central Avenue, according to DeClue, who stated that Mrs. Franklin hit him so hard that a tooth was knocked out and his lip cut.

Was Refused 2-Trip Slip

He refused to give her a two-way slip because she did not request it when she first boarded the bus, but asked for it after having taken a seat, he said.

Magistrate-at-Large Edward J. Garmatz, who imposed the fine, later told the AFRO that the defendant did not testify that the driver had hit her, only that he had pushed her arm as she reached to get a two-way slip which had been denied her.

He also stated that no mention was made of the fact that she had three children with her at the time.

His decision was based partly on the fact that Mrs. Franklin struck the driver while the bus was in motion, thus endangering the lives of the approximate forty or fifty other passengers aboard, he said.

Driver Struck Her First

A witness, Mrs. Charlotte Collins of 1610 Waldo Court, testified that DeClue landed two blows on Mrs. Franklin's arm before she hit him back.

Mrs. Franklin's husband, Jerome, a seaman, is stationed at Yorktown, Va. He was inducted October 27, 1943.

Police Capture
Fugitive Suspects
Richmond, Va.

Surrounding a rooming house in the 700 block North Third Street, Richmond police yesterday captured three Negro men, said to be escaped convicts from North Carolina.

Detective Chief O. D. Garton said a squad of police were sent to make the arrests on information turned over to his bureau by Patrolman C. L. Spicer. Four police cars were sent to the address, the house surrounded, and the men retaken, without firing a shot or any other violence.

Now being held at Second Police Station the men are listed as Andrew Hirston, 25; Richard Clay Rice, 29, and Eugene Crowder, 18, escaped from Road Camp 3, located about three miles from Winston-Salem, N. C., Sunday.

All three had been sentenced to three years on charges of house-breaking and were among the eight prisoners who escaped from the camp by sawing a bar from a window, North Carolina authorities said in the lookout report.

21-Year Sentence
Given Youth
Cut to 10 Years

Frankfort, Ky., Dec. 4 (AP)—A 21-year sentence given Lee Vester Calhoun, Negro, on conviction of malicious shooting and wounding his father with intent to kill was reduced to ten years by Gov. Simeon Willis late today, making him eligible for immediate consideration for parole.

Circuit Judge W. H. Spragens, Congressman-elect Frank L. Chelf, who as County Attorney prosecuted the case; other officials, and O. F. Calhoun, the father, recommended clemency.

They explained that Chelf and the Commonwealth's Attorney

recommended the minimum of two years upon Calhoun pleading guilty, but the jury disregarded that and gave him the limit. "They added that they felt an injustice had been done."

The young Negro, who entered the state reformatory February 12, 1942, is working at the Executive Mansion here on assignment.

15-1944

Negro Darkens Skin Of Stolen White Baby



Four-month-old Robert James King is shown reunited with his mother, Mrs. Clarence F. King, in Detroit, 12 days after his disappearance with a Negro nursemaid. The police arrested the maid, Mrs. Eugene Smith, on suspicion of abducting the child and through out long questioning she insisted the baby was her own. But Mrs. King knew better; she identified her son.

DETROIT, Oct. 11.—Police recovered unharmed early today four-months-old Robert James King, missing for 12 days, and arrested a light-colored Negro woman—who had posed as a white nursemaid, and who, they said, attempted to claim the child as her own.

Recovery of the child and the arrest of Mrs. Eugene Smith, wife of a Negro pharmacist, followed investigation of a tip furnished through the Detroit Times by a neighbor of the Smiths, police said. The newspaper had offered a \$1000 reward for recovery of the child. Police said that Smith told them she had been suspicious of the blue-eyed child which his wife brought home and claimed had

Treatment
Detectives who participated in developments beginning with Mrs. Smith's arrest last night said her fantastic story revealed that she had plotted carefully to steal a child and convince her husband that it was their own. Mrs. Smith, they said, had told her husband last January that she was pregnant and subsequently pretended to visit a physician.

Charge Frame-Up In Assault Case

WINSTON-SALEM, N. C.—Labeling the charges made against William DeBerry, colored International Representative of UCAPAWA, as "both ridiculous and unbelievable," E. L. Sandefur, CIO Regional Director of the Carolinas, urged the Union to press for the defense of its victimized leader.

DeBerry, who was charged with "assaulting" a white woman, Luise Johnson, was sentenced on July 14 to 60 days of hard labor on the road. "Although not present in the Federal Court room on the day Representative DeBerry was alleged to have committed an assault, I am utterly convinced the whole affair was a 'frame-up,'" Sandefur wrote to members of UCAPAWA. "I hope that you will press your defense of Representative DeBerry, realizing that the attempt to embarrass this representative was not directed at him alone, but to all your members and your 'Union.'"

The defense has been appealed to the Supreme Court, and hearings are scheduled for early December.

S. C. Women Prisoners Removed From Street

COLUMBIA, S. C., (ANP)—Four colored women, seen on the city's street gang last week, and whose plight elicited immediate and vigorous protest to both Councilman Lester L. Bates and Mayor Fred D. Marshall, were removed from the streets, organizational leaders said Monday.

Mother-Yearning Given as Motive

First Story an Admitted Fiction; Prosecutor Refuses to Tell Details

Mrs. Eleanor Smith, kidnaper of four-month-old Bobby King, is the victim of an overpowering mother urge who met the denial of nature by filling her empty arms with another woman's baby. This was the explanation given by Prosecutor William E. Dowling late Wednesday night after Mrs. Smith had made a "full and complete confession" at Police Headquarters.

Dowling, with Inspector George McLellan and a police stenographer, ended an hour and a half of questioning at 11:25 p. m. Mrs. Smith had contended stoutly all day under repeated questioning that she was the victim of mistaken identity and that the baby was her own.

Even when confronted with undeniable evidence, including the baby's clothing found in her flat and the foot prints which tallied, Mrs. Smith had insisted on her innocence.

WHEN DOWLING emerged from the conference with Mrs. Smith, he said: "Mrs. Eleanor Smith has made a full and complete confession of the kidnaping of the King baby, but in making her admission she has imposed such conditions as to preclude my giving out any of the details."

Dowling would not explain what compromise a law enforcer could have made with a woman who was a confessed criminal, even if there were some doubt of her complete sanity.

Earlier in the evening, Mrs. Smith had talked with her husband Eugene, who had urged her to confess.

DOWLING said that after the confession, Mrs. Smith seemed composed and apparently relieved at getting the matter off her mind. Previously, she had been in a state bordering on hysteria as she clung

him back." Smith and his wife are well-educated and intelligent. Smith's love for his wife led him to be deeply troubled since the appearance of the baby at his home a week ago. He knew something was terribly wrong, and had made an appointment with an attorney for advice about the baby when his wife was arrested.

Despite her insistence on her percentage of the child, she called Mrs. King by telephone last Saturday and, weeping, told her, "Bobby is well but I can't bring

course in child care at another church in the neighborhood a year ago. Evidence that Mrs. Smith's desire for a child had led to mental derangement was plentiful in the case. She sought to pass the King child, who is fair-skinned and blue-eyed, as the son of herself and her husband.

Members of the church said Mrs. King showed a marked liking for children. She took a

had my suspicions that something was wrong from the time she returned from Chicago, but I didn't turn her to think I didn't trust her. When I saw her, I was even more suspicious. Smith told her husband last June that she was to have a baby, although no evidence of it told him that such a fair baby was apparent. In July she told him could not be his, and that he found no record of the birth after the day she brought the baby home, she said she was going to bring himself to face the fact that she had kidnapped the baby.

"I LOVE my wife," he said.

SHE MADE no effort to con-

10-13-44



Free Press Photo

Free Press - Detroit, Mich.

10-13-44

Free Press Staff Writer

"I never said I took the King baby, and I didn't take him," the MRS. SMITH, a light-skinned thirty-two-year-old Mrs. Smith Negro woman, appeared tired as said. "The baby they took away. She talked to reporters at Police and gave to the Kings is my own Headquarters. She has refused son. His name is Eugene, like all food since her arrest at 12:10

"I have had two children," she said. "The other did not live long. Now they have taken Eugene away from me."

She indicated the line her defense might take when a reporter asked how she explained the fact that her fingerprints and the baby's footprints checked with those of the King nursemaid and the King baby.

"When they got downtown they said they checked. I've been framed and my baby's been framed and I wish I were dead."

"I've never denied my race. I'm very proud of it," she said.

"I've never done a thing in my life to be ashamed of. I've never been arrested or done a wrong thing since I was born. My conscience doesn't bother me."

s- "It's the most fantastic story I ever heard," she said.

SHE CONTINUED to maintain that the baby had been born prematurely in the Wesley Memorial Hospital in Chicago, even though hospital records show no record of such a birth.

Smith visited his wife Thursday morning.

Free Press - Detroit, Mich

Mrs. Eleanor Smith, of 6348 Stanford in whose home the baby was found, admitted she had taken the child. Dowling said he would ask for a kidnapping warrant Friday.

Mrs. Kathrine King already had identified Mrs. Smith as the "Helen Rosman" who disappeared along with the child Sept. 30.

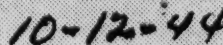
While on the train, she subsequently told him, she had been seized with labor pains and had been rushed to the Wesley Memorial Hospital in Chicago, where she gave birth prematurely to a baby boy, who she called Eugene Jr."

On Sept. 30 she told him her cousin was bringing the baby from Chicago, where he had remained in the hospital. When she brought the King baby home that evening both Smith and his mother were troubled by the baby's fair skin and blue eyes. Since Mrs. Smith had considerable white blood, however, and since Smith loved and trusted his wife, he made no issue of the baby's appearance.

A check of the Wesley Memorial Hospital revealed no record of such a birth having taken place there.

No checked might footprint print to m

10-12-59
ALTHOUGH POLICE first
visited the Smith home and viewed



Free Press Photo

EUGENE SMITH
the baby and Mrs. Smith at noon
Tuesday. Bobby was not restored

to his parents until about 5 a. m. Wednesday. **10-12-44**

Police Monday received information from George D. McKee, of 7768 Central, that Mrs. Smith had a baby who answered the description of the King baby.

McKee, a Federal employee who is also a Negro, said that his attention was attracted because the baby did not appear to be a Negro child. He noticed Mrs. Smith and

the baby on Sunday, at St. Stephen's Church near her home. "You baby didn't have that," she said. The "birthmark" was subsequently washed off by Mrs. King.

King and Emory had such a brief view of the baby that they could not be sure, but King insisted that the baby's footprints be taken and compared with those taken at birth at Harper Hospital

TUESDAY AFTERNOON Detective Robert Behrendt, of the Special Investigation Squad, took Clarence King, the baby's father, and the baby's seventeen-year-old brother Emory to the Smith home. Mrs. Smith was reluctant to show them the baby, but finally lighted a light in the bedroom where he was sleeping and briefly lighted a light in the bed-

Judge Hauls in 90 Innocent Negroes to See One Jailed

PM - New York, N.Y.
Boys, Some in Uniform, Are Subpenaed
By Brooklyn Jurist as 'Gang Members'

County Judge Louis Goldstein of Brooklyn, who should know better but doesn't, has staged a publicity stunt which sets a new low in such matters, even in Brooklyn where not long ago a Grand Jury took it upon itself to slander a whole people in a bid for the front pages.

With flashbulbs popping in his courtroom, Goldstein had some 90 Negro boys from 15 to 18 hauled into his courtroom to watch him sentence another boy to prison.

The 90 boys, Judge Goldstein said, were members of juvenile gangs in Brooklyn, but none admitted it, the court didn't prove it and a Brooklyn pastor who said he knew them all said most of them were not gang members.

Some in Uniform

The obvious inference from the fact that all were Negroes and none white was that their color was, in part at least, the basis for selection of those to be dragged in.

The boys were picked up on subpoenas issued by Goldstein and served by the Probation Dept. None was accused of anything and it appeared that there was no evidence against them to justify yanking them from their classes and their jobs to make the Goldstein holiday. Some were in military uniform.

The idea, the judge explained, was to warn the hapless 90 of what they could expect to happen to them if they ever committed any "vicious crime."

"Your parents," he told the boys who stood shuffling and shame-faced before him, "are heartbroken because of your lack of respect and honor for them which every child should have. Instead of bringing happiness into their lives, you have brought disgrace upon them."

(There was, be it noted, no charge before the court by any parent of any of the 90.)

"The court has directed," intoned Goldstein, "that the members of the two criminal gangs known as 'Robins' and 'Beavers' be brought into court, who were involved in the shooting of Joseph Foster by the defendant Joseph Parker, 16 years of age."

(Be it noted again that the shooting of Joseph Foster was a crime, and that if there was any evidence against any of the 90 "who were involved" they should have been charged with the crime and sent to prison with Joseph Parker.)

"I have had you brought here for the sole purpose of giving you a sound warning of what will happen to you if you commit any vicious crime, and at the same time I beg of you, for your own good, that you turn over a new leaf at once by disbanding and divorcing yourself from the so-called 'gangs,'" the judge went on.

(Again it must be noted that none of the 90 was a gangster of record, that each denied he was a member, and that the Rev. Thomas S. Harten of the Holy Trinity Baptist Church, who said he knew all of the boys, said that most of them were not members of a gang.)

'Humanitarian'

Harten was an unhappy participant in the affair.

Apparently seeking to snatch as much fat from the fire as possible, Harten explained to the boys that Goldstein was really a "great humanitarian" who had their best interests at heart.

And, sensing clearly the innocent boys' mood of embarrassment and shame at thus being hauled like criminals into court, he told them:

"Walk out of here with your chins up."

The boys walked out, not all with their chins up, as the photographers, invited to the ceremony, made pictures.

PM was invited to the ceremony and made pictures of the boys. To the innocent youngsters who were photographed, PM says now that not one of the pictures we made will ever be used in print. And we're not going to print the carefully-posed pictures of Judge Goldstein, either.

Mississippi Negro Gets Reversal Of Conviction

Reg. 571 - Mobile, Ala.
5-9-44
State Supreme Court Rules Defendant In Rape Trial Got Only A 'Token Defense'

JACKSON, Miss.—(AP)—The state supreme court Monday reversed and remanded for a new trial the case of Johnnie Richardson, negro, Pascagoula, who was convicted and sentenced to death in the Jackson County circuit court on a statutory charge. Richardson, a cook in a Pascagoula restaurant, was charged with the rape of a white waitress.

The opinion, handed down by Justice Griffith, said: "A critical and cautious scrutiny of the record of the testimony discloses that in not less than four material, and in fact decisive, particulars the testimony of the prosecutrix is so highly improbable as to be scarcely believable, except of course, to one who would simply prefer to believe it. A majority of the court are of the opinion, in this respect, that without the so-called confession of the appellant he would be entitled to a peremptory charge."

'Only A Token Defense'
 "It is desired by some members of the court that mention be made of the fact that there hovers in the background of this record the broad issue of due process. The record does not disclose whether the attorney who appeared for the defendant was employed or whether appointed by the court; but . . . candor compels us to admit that he made only a token defense."

Affirms Slaying Conviction
 In another opinion the court affirmed the sentence of life imprisonment given Aaron Haefner, Coffeeville pool hall operator, by the Yalobusha County circuit court judge for his part in the slaying of Pvt. Jimmy Deskin, Camp McCain and Tulia, Texas.

Haefner and Alfred Shaw, Yalobusha County election commissioner, were indicted for the murder of the Camp McCain soldier whose body was found on the highway near Coffeeville last June 17.

Haefner was tried alone and sentenced to life in prison. Shaw's trial will be held at a later date.

Atty. Shores Replaces Atty. Madison In Case

Daily World - Atlanta, Ga.
4-18-44
By EMORY O. JACKSON

MONTGOMERY, Ala. — (SNS) Circuit Judge Walter B. Jones Wednesday, dismissed a group of registration to vote appeals on a motion by Defense Attorney Richard T. Rives of the famous law firm of Hill, Hill, Whiting and Rives, on grounds that they were filed later than the 30 days allowed by the law.

Attorney Arthur D. Shores of Birmingham, replaced Attorney Arthur H. Madison of New York City, as counsel for the petitioners, due to pending final disposition of the five charges on which Madison was convicted April 14, for allegedly representing clients without their authorization.

The two lawyers squared off in the trial preliminaries on questions of court jurisdiction in the cases, merits of the plaintiff's evidence and the time issue. Shores established the first two points, but lost out on the statute of limitation.

Shores called the court's attention to one case that had been removed from the docket without the petitioners' request or other due process of law procedure, with the judge ruling that the error could be corrected by a motion to place the appeal back on docket.

When the court recessed for lunch, photographers of TIME and LIFE magazines made pictures of the plaintiffs and their counsels.

A throng stood outside the courthouse long after the cases were dismissed, asking, "Is there going to be any more?" Madison spoke briefly, dramatically and heroically to the groups, saying "We have won a great victory. The court has now said that one denied registration can go there for a remedy."

Negro spectators again jammed the courtroom. About half of that number were students from Booker T. Washington High School and State Teachers College. It was clearly demonstrated that voting has the number one popularity spot among Negro people of this city.

Vote-interested citizens were asking their leaders what the next step will be. They are fired up with enthusiasm for voting and declared that they are willing to back up any valid move to achieve the ballot. They will have to wait until June, the next registration period, to prove their story.

There are around 170 qualified Negro voters in Montgomery county, according to the 1944 list of voters recently published. Montgomery leaders assert that they will offer to vote in the Alabama primary May 2. A few have voted all the time, but not as a general rule.

Negro Before Court In Lowndes Is Shot

News - Birmingham, Ala.
4-19-44
 HAYNEVILLE, Ala.—(AP)—A Negro being arraigned in the Lowndes County courthouse for trial on a burglary charge, was shot and slightly wounded Monday by the man whose home he was charged with entering, Solicitor Joe Bell said.

Bell said F. F. DeBardelaben, about 55, was arrested on a charge of assault to murder after firing two pistol shots at Clemmons Gresham, 20, Negro. One of the bullets struck Gresham in the finger.

The Negro was facing trial on a charge of first degree burglary (burglary of an occupied residence at night), a capital offense. Bell said he was accused of entering the DeBardelaben home several months ago, while Mrs. DeBardelaben was alone.

He added the venire from which the jury was being selected bore the names of a number of Negroes. Clemmons fled after the shooting, but the jury was brought back within a few minutes by members of his own race.

Wins Civil Action Suit
Amsterdam News - New York, N.Y.
3-11-44

WHY NOT COLORED COURTS TO TRY
After American - Baltimore, Md.
WHITE CRIMINALS IN DIXIE?

That seems to be a good principle that should work right here.

1990

The white bus driver who last week shot and killed a colored soldier in Durham by all means should face a colored judge and jury. We should like to see C. C. Spaulding preside at the trial.

Unfair Courts Are Lynching's Co-Partner

landings. No glory in slaughtering defenseless people, nor is there any training useful for combat. They are pure savagery, the expression of the real person. So was lynching.

Let the evil practices of the Nazis and the Japanese teach us how low men sink who assume to themselves an inborn superiority. It is the old old story of vice, hated at first but embraced after it becomes a familiar.

in the name of race superiority awaken the American people to the risk they run when they substitute anything else for calm investigation and unbiased judgment. Wishful thinking excuses any practice. But it cannot avert the consequences.

Out-of-town deputies visited other prominent Negro citizens of New Iberia — enticed them from their homes on various pretexts, beat and run them out of town. Three Negro physicians, a dentist, a school teacher, and an insurance salesman were forced to flee their families and homes. For several months the 6,000 Negro residents of New Iberia were left without a single doctor, and only recently has a new one ventured to take up practice there.

Complete affidavits identifying the leading white terrorists were turned over to the Department of Justice last May. Mr. Hardy, in an effort to facilitate an early prosecution placed himself completely at the disposal of FBI agents for such purposes as might be necessary.

STOLEN BABY FOUND IN NEGRO DISGUISE

DETROIT, Oct. 11 (AP)—With his skin heavily coated with oil and an artificial birthmark traced with cosmetics on his face, Bobby King, 4 months old, was returned unharmed to his parents today, ten days after he was abducted by a Negro nursemaid.

22. [redacted] Chief of Detroit Tele-

"I don't know anything about the King baby. The child they have taken is mine. If he is not even back, I would rather die. Some day they will find the real kidnaper and my baby will be returned." **10-13-44**
 Identification of the child even before his mother saw him this morning was established by footprints made in a hospital at the time of the birth. A fingerprint

[illegible]

Judge "Ab" H. B. Abernathy, whose death Tuesday brought widespread regret to the thousands of persons who knew him in this city, was distinctly an original. His individuality was so marked that he had won renown far beyond the jurisdiction of his court for the informal originality which characterized his conduct of trials. 2-17-44

But with all this apparent irrelevance, his decisions were based on a sound knowledge of the law tempered by an even greater knowledge of and sympathy with human nature and human weaknesses. He was ever inclined to temper justice with mercy, except in cases in which his honest anger or disgust was aroused.

No one ever knew what Judge "Ab" might say or do when he mounted the bench in his Court of Misdemeanors and Felonies, but one always was sure that the daily parade of petty malefactors and others not so petty, would bring some little touch of individuality, some word or action from the bench that could happen only in that court.

An outstanding attribute of Judge "Ab" was his keen and sympathetic insight into Negro character. Born in Marengo County, in the heart of Alabama's Black Belt, his early association with members of the Negro race gave him a sympathetic attitude toward them which was evident in his handling of thousands of cases involving colored persons. He knew Negroes as few white persons are privileged to know them; knew their inhibitions, their prejudices, superstitions and loyalties. For the Negro who was honestly seeking to do right and at the same time to make a better place for himself in the world, the judge was both lenient and helpful. 2-17-44

Judge "Ab" will be missed, not only by the lawyers who appeared before him during his long term as jurist, not only by the thousands of persons with whom he came in contact, both professionally and otherwise, but by the entire community.

Georgia Chain Gangs To Vanish With New Year

ATLANTA, Ga.—(ANP) — Passing from the Georgia scene with the coming of the new year will be the state highway department's convict camps, more commonly known in bygone days as chain-gangs.

The camps, landmarks in the state since 1922, have been the source of many a headline story about escaped, brutalities and even sudden death, but they are being abolished as part of Georgia's penal reform program. Gov. Ellis Arnall, Director of Corrections Wiley Moore, Highway Department Director Ryburn C. Clay and other officials are agreed that long hours of road work, day after day, year after year, are not the way to rehabilitate prisoners.

The new idea is to transfer the convicts from the state camps to the penitentiary at Reidsville and there to employ them and train them in trades that will fit them to be useful law-abiding citizens. The state highway camps were started in 1922, six years after establishment of the highway department, and at the time of their origin only Negro prisoners were assigned to the dirty, back-breaking labor. With the expansion of the road building program in Georgia, it was soon discovered there were not enough Negro prisoners to supply all the labor needed, and gradually white prisoners too, became a familiar sight working along the highways. At one time as high as 15 were in operation.

Old-timers at the state highway department can recall how the road gangs used to clank around in chains and long pick and how a night in the barracks heavy chains were strung along the cots and run through the picks fastened on the prisoners' legs. Despite the change in name during Gov. E. D. Rivers' administration from "chain-gangs" to "public works camps," it was revealed by Chief Highway Engineer G. T. McDonald, chains and picks have continued in use.

The convicts have been used for constructing, widening and surfacing roads and for building various types of bridges. In the two years ending June 30, 1942, state forces graded 354 miles of road and surfaced more than 60 miles.

Construction work done by convict crews will be let to private contractors in the future. It is believed that this method will result in a substantial saving. County Jeffries of Scott's Crossing, was fined \$27.50 on "disorderly conduct" charges Wednesday, the result of an altercation with a white street car operator, G. P. Norton, after the latter had stopped the car and shouted, "All of you n—rs will have to get off here."

Ga. Convict Wins Freedom In Chicago

CHICAGO—(S N S) — Sidney Jackson, who escaped from the Georgia chain gang to which he was sentenced from 4 to 7 years by a judge in the Bibb County Superior Court in 1941, and who escaped to Chicago about 2 years ago, was freed on a writ of habeas corpus today by Judge Daniel P. Trude of the Criminal Court of Cook County, Illinois.

The case of Jackson was referred to Atty. William Henry Huff last December by U. S. Commissioner Edward K. Walker, to whom Jackson wrote, stating that he would die before going back to the Georgia chain gang. After reading Jackson's letter, U. S. Commissioner Walker, believing there was some merit to his case, requested Huff, who is director of the Abolish Peonage Committee of America, to investigate the case and see what, if anything, could be done, and after an exhaustive examination, it was determined that Jackson's allegations were correct, and that he had been bludgeoned into a confession by the police of Macon, Georgia, whereupon Atty. Huff, with the assistance of the Chicago Civil Liberties Committee, of which he is a member, went all the way toward the liberation of Jackson which resulted in today's action.

Assisting in the case were Attorneys Landon Lincoln Chapman, Donald L. Hesson, and William G. Anderson.

Beaten, Fined For Street Car Row In Atlanta

ATLANTA, Ga. — (ANP) — His head swathed in bandages, George Jeffries of Scott's Crossing, was fined \$27.50 on "disorderly conduct" charges Wednesday, the result of an altercation with a white street car operator, G. P. Norton, after the latter had stopped the car and shouted, "All of you n—rs will have to get off here."

Jeffries told the police judge that he had merely requested the return of his fare, when Norton began attacking him with a blackjack, beating him about the head.

Norton, admitting that he had issued the order for Negroes to leave the car, said he did so after someone in the back of the trolley, where Negroes by law are required to sit, kept pushing the bell and when the car halted, no one appeared at the door to get off. During the trial a white army sergeant, Walter Burdett, who said he used to be a policeman, admitted he joined in beating Jeffries after the latter had demanded the return of his fare. 1-29-44

"All the rest of the n—rs left the car without saying anything," the soldier said, "but this biggity n—r had the nerve to come up and demand his money back." Atty. A. T. Walden of the Atlanta NAACP branch's legal redress committee, who defended Jeffries, disclosed that he would take out a warrant against both the street car operator and the white sergeant charging them with assault and battery.

Warden Denies Cruelty to Prisoners at Penitentiary

Inmates Make Complaints in Dozen Letters Sent to the AFRO Within the Last Few Days

BALTIMORE — Persistent complaints by prisoners of ill treatment at the Maryland penitentiary were denied Monday by Patrick J. Brady, warden, who said the guards accused by the inmates are just "stricker than some others." In a dozen or more letters to the AFRO within the past few days, inmates have complained that these guards, particularly two named Green and Wood-I wouldn't stand for that. worth, have made them pay "We are overcrowded here, money for ordinary favors duethough, and have been for a number of years. We have 950 single most of the desirable things sent them by outside friends and relatives. They complained further that they are being forced to sleep in overcrowded quarters and that there is no work for those who want to earn money while in the institution.

Admits Receiving Reports "I have received these complaints from time to time," Warden Brady said, "I conducted my own investigation and found that those about ill-treatment are highly exaggerated. The guards they have named are either lifers the men in the penitentiary cause several government contractors the institution had formerly held have since expired. He said this idleness of the men and the strictness of guards who sought to keep them from indulging in any pastime which would cause fights between them.

Lack of Work Admitted Warden Brady said further that ten persons here are doing very long sentences and we can't put them in dormitories where there is a possible chance for escape as those doing short terms. Lack of Work Admitted Warden Brady said further that ten persons here are doing very long sentences and we can't put them in dormitories where there is a possible chance for escape as those doing short terms.

Cite Death Of Negro Prisoner In U. S. Medical Center As Instance Of Brutal Treatment Of Inmates

Instances of shocking brutality and cruel treatment of inmates at the United States Medical Center of the Federal Bureau of Prisons at Springfield, Mo., were revealed this week by Louis Taylor, conscientious objector, serving a term there. In documents smuggled out of prison and sworn to by 72 prisoners, it was charged that a Negro prisoner, James White, 21, had been savagely beaten by guards and then listed as having died of dehydration of tissues. "On December 8, 1943, James White, a military prisoner, 4390-H, died after being beaten up for several days," Louis Taylor, New York objector, conscientious objector serving term in the Springfield institution, wrote in a letter which he smuggled

from the prison.

"The autopsy read 'dehydration of tissues.' His brother, Robert White, 4233 Wabash avenue, Chicago, Ill., wrote a letter to the warden at that time, Dr. (Ora H.) Cox, requesting an explanation for the bruises and welts on his brother's body."

The expose of the prison brutality, featured in the New York World-Telegram, documented the charges. On Friday, the daily paper printed stories from several former prisoners who witnessed the beating which caused the Negro prisoner's death.

From Fort Worth, Tex., came one statement from a former prisoner that "I am confident they beat the Negro at intervals from November 18, 1943 until December, when he finally died." On the November date, he said, a guard named Edwards and others had to "subdue inmate White and lock him in a private room."

"The record room," the former prisoner revealed, "was right across the hall from the receiving ward. I saw the guards bring White into the receiving room and beat him. That was when they first transferred the Negro there." After White was locked in a private room, the informant said, "he was tied on to bed springs with no covering until he was moved into the hospital 12 hours before he died. The bed springs had cut into his body and he was badly bruised."

Another former prisoner added more information about White's death.

"They say they do not beat the men, but they do," he wrote. "About the middle of December, a colored boy by the name of James White died. The autopsy said he died of dehydration."

Beaten Like a Dog

"This boy was psychotic, and he had not been in the institution a week until he had been beaten and kicked like a dog."

"The first paragraph of the autopsy (report) says that there were no signs of violence, either internal or external, but the hospital chart showed that 12 hours before he died he had lesions and abrasions all over his back. And after his body was sent home his people wrote back and asked why the body was so bruised, and Dr. E. W. Moreland replied that they were self-inflicted, but the man's record does not show that."

The dead prisoner's brother, Robert White, produced a letter from Dr. Moreland, executive officer of the hospital prison, which asserted that his brother had "several lacerations and abrasions which had been self-inflicted."

Dr. Moreland said that "notwithstanding hospital care, he suddenly collapsed and died" on December 8. The autopsy showed, he said, that death was due to "dehydration, due to acute psychosis."

Dr. Evan W. Thomas, brother of Norman Thomas, and chairman of the War Resisters' League, asserted that this was a "horrible admission for any hospital to make."

Chief of the skin clinic at Bellevue Hospital and assistant professor at the Medical School of New York University, said, "disregarding the beating, this admission alone is enough to justify a full outside investigation. There's no reason why liquids can't be forced into a man intravenously. I've done it hundreds of times myself."

3 Boys, 12 to 16, Sentenced to Life as Killers, Are Barred at Jersey Prison as Too Young

5-20-44
TRENTON, N. J., May 19—Thein the line of rehabilitation for these boys. Their crime is absolutely first degree murder and in accepting the guilty plea, I feel it would be incumbent upon a jury to find them guilty of the same crime and they, too, would have recommended life imprisonment."

The three boys, William High, 12 years old; Lawrence J. Johnson, 14, and James L. Burrell, 16, all of Camden, arrived at the prison at 3 P. M. They had been sentenced by Judge Bartholomew Sheehan in Camden on Wednesday for the murder of William W. Freeburger, 69, a Salvation Army inmate, last Oct. 1. The boys had admitted the crime.

Principal Keeper John L. O'Hara of the State Prison was present upon the arrival of the three youths and immediately decided that a prison cell at the institution was no place for them. The prison houses long-termers and others who are not permitted the semi-freedom of the various prison farms.

William J. Ellis, State Commissioner of Institutions and Agencies, and members of the Prison Classification Board were summoned. Warden O'Hara also got in touch with Judge Sheehan on the telephone to find out if he had any objections to the boys being sent to other penal institutions. He had none. Commissioner Ellis also agreed they should not be housed in the prison.

The classification board went to work and ordered Burrell and Johnson sent to the State Home for Boys in Jamesburg. Johnson, who had served a previous term in Jamesburg, was sent to the New Jersey Reformatory in Rahway to serve his time term. The boys were immediately hustled out of the prison and taken to the other institutions and by 5:30 P. M. they had been admitted there.

In sentencing the three youths

to life terms, Judge Sheehan said: "There is little to be hoped for these boys. Their crime is absolutely first degree murder and in accepting the guilty plea, I feel it would be incumbent upon a jury to find them guilty of the same crime and they, too, would have recommended life imprisonment."

Negroes Feel Goldstein's Intentions Were Good

But Cite 'Gross Violation' of Boys' Rights In Courtroom Scene
6-25-44
By TOM O'CONNOR

The consensus of Negro leaders and juvenile delinquency experts is that Harlem, commented: County Judge Louis Goldstein, who hauled 90 teen-age Brooklyn Negro boys into his courtroom Thursday to hear him make a speech on the evils of crime, wascauses of crime, is worse than use. well-intentioned but guilty of gross violation of the rights of the boys and their parents.

The boys were taken away from their classrooms and jobs and forced to appear in court under a subpoena, although they were charged with no offense and there was no evidence that any of them had been guilty of anything.

Judge Goldstein addressed them as "members of the two criminal gangs known as 'Robins' and 'Beavers,'" and told them they had brought disgrace upon their parents. The judge, sentencing a 16-year-old Negro boy for shooting another Negro boy, warned them that the same thing would happen

Jury Frees Negro Who Threw Object At Liberty Bell

Philadelphia, Sept. 7 (AP) — A Negro who admittedly threw a quartz paper weight at the Liberty Bell during the Philadelphia transit strike—which was a protest against the promotion of Negro transit workers—was exonerated by a jury today.

Charles White, 40, told the jury "an uncontrollable emotional outbreak" caused him to hurl the stone.

"In some countries you would have been shot right on the spot," Judge Eugene Alessandrini told him. "This trial proves how far we go in our democratic process to assure everyone of equal rights under the laws."

mittee on Harlem, called Judge Goldstein's action "gross intimidation," and said that "instead of gaining the result he wanted, he may have created a deep resentment in the boys which will have an opposite effect."

"Why did Judge Goldstein have to bring in just Negro boys, anyhow?" Collier asked. "Wouldn't white boys profit just as much by the lecture and the 'object lesson'?"

Queer Method

Walter White, secretary of the National Assn. for the Advancement of Colored People, called Judge Goldstein's action "a queer method of enforcing the law." "Everybody knows there is a 'gang' problem in New York and other cities," White said. "There are white gangs and Negro ones. We shall be interested in seeing if Judge Goldstein rounds up white boys to witness the sentencing of the next white boy brought before his court."

The Rev. Thomas S. Harten of Holy Trinity Baptist Church in Brooklyn took a different view, however. He had participated in the Goldstein project, addressing the boys in court and telling them the judge was a "great humanitarian." 6-25-44

Criticizing PM's story on the occurrence in Friday's paper, Harten said:

"Why don't you get after some of these judges on the bench who are really fascist-minded and always slandering the Negro race, instead of a man who is trying to do something to help?" he said.

Conditions Getting Worse

"Crime conditions here, in the Bedford-Stuyvesant area in Brooklyn are bad and they are getting worse. Someone has to try to do something about it. I think Judge Goldstein is a very humane and liberal man and I think the whole effect was good."

Harten admitted, however, that he didn't like the idea of the 90 kids being photographed, particularly since many of them were boys he knew personally and knew did not belong to any gangs or participate in any gang activities. He said he was calling all the Negro papers to ask them not to use the pictures.

Harten said it was he who suggested to Judge Goldstein that the newspapers be called in. "But I didn't think about photographers," he said. "I guess what Judge Goldstein had in mind was that the photographers would just take pictures of him."

to them if they "committed any vicious crime." Reporters and photographers had been invited to the show by Judge Goldstein.

Inexcusable
Edwin J. Lucas, executive director of the Society for the Prevention of Crime and chairman of the crime and delinquency committee of the City-Wide Citizens Committee, or Harlem, commented:

"I have no doubt that Judge Goldstein was well-intentioned. But lecturing children, in or out of a courtroom, while ignoring the causes of crime, is worse than use."

"And parading these kids for the benefit of newspaper photographers was reprehensible and inexcusable. Certainly the way the whole thing was done would be resented by the boys and their parents. I'm not more sensitive in the group. I'm not sure that resentment by itself would do any positive harm, but I'm very sure the lecturing would do no good."

6-25-44
"Crime and juvenile delinquency are the result of a complicated set of factors. Anyone who thinks the problem is soluble by lecturing is grossly misapprehensive of the causes of crime." Charles Collier, executive secretary of the City-Wide Citizens Com-

15-1944

Judge Charges Attack

Daily World - Atlanta, Ga.

Case Jurors Today

2-18-44

The case of the state against L. Clark, charged in a grand jury indictment with criminally assaulting a white woman in the west end section on the early morning of June 4th, 1943, will go to the 12 man-all-white jury sometime this morning following the charge to the jury by Judge Paul S. Etheridge, who is presiding in the Fulton Superior Court hearing. Court was ordered resumed today at 9:30 a. m.

The hearing began Wednesday morning, lasted all day, was reconvened on Thursday morning and again was extended through the entire day, recessing yesterday at 4:45 o'clock, following completion of additional defense testimony, cross-examinations, rebuttals, and arguments before the jury by defense counsel and representatives of the solicitor's office.

TRIED ONCE BEFORE

Clark was tried last October on the same charge, was convicted in Superior Court and sentenced to from 15 to 20 years, but was granted a new trial, which is now in progress. He was alleged to have made a criminal attack upon the white woman while she was in company with a man companioned in a car, and was arrested several days after the attack had been reported to police. The case during the two-day period was hinged around the identification of the defendant, whose counsel previously has presented ten witnesses who stand along with Clark that he was in their company at an Atlanta home during the time of the alleged attack.

Nine persons testified for Clark as alibi witnesses, with Guy Smith and L. F. Turner, all giving practically the same testimony, while one took the stand yesterday on behalf of the young man who is facing death in the electric chair. This last witness was Annie Lee Scott, whose testimony jibed with that of others. Following the testimony given by the Scott girl the defendant took the stand to make his statement. He denied that he had attacked the young woman, that he had ever seen her, or her companion, now a soldier in Fort Pherson, who told the court and jury Wednesday that Clark held him around the neck with one hand, from the front seat of the car, forced the woman to the back seat of the car where he assaulted.

He denied that he had attacked the young woman, that he had ever seen her, or her companion, now a soldier in Fort Pherson, who told the court and jury Wednesday that Clark held him around the neck with one hand, from the front seat of the car, forced the woman to the back seat of the car where he assaulted.

Treatment

dence. The defense witnesses for the most part had already stated that Clark wore his glasses regularly. 2-18-44

Arguments began after a recess period, this being at 2 p. m., at which time Defense Counsel Turner and Claude Smith spoke for their client, while Assistant Solicitor, J. R. Parham spoke for the state. The latter had the concluding arguments, but was interrupted several times on objections of defense attorneys, who on almost each occasion were sustained in their objections. All speakers covered the case thoroughly with Mr. Parham making a plea for a sentence of death on the evidence presented, and the defense lawyers appealing to the jurors to be open-minded and free the defendant because of the sharp conflict in state testimony, the failure of the state to identify Clark as the assaulter, and because of the contradictory and improbable testimony given.

The case is expected to extend far past mid-day today, due to the probable lengthy charge to be made by Judge Etheridge and the jury deliberation.

Judge 'Ab' Post-Birmingham, Ala.

Death of Judge H. B. Abernethy, of the Jefferson County Court of Misdemeanors and Felonies, removes from the bench a character such as no writer of fiction would have dared to create. The end justified the means with Judge "Ab" as thousands knew him and He cut the legal corners to suit himself and toward the ends of justice, applied his own theories of life, mixed liberally with his own knowledge of human nature, particularly among the Negroes.

Unorthodox is the word to describe Judge "Ab" and his court, but all who saw him dispense justice knew that it was justice in reality. Many did not approve of his means of reaching an end. We were among them but all agree that in his court justice always was tempered with mercy.

While Judge "Ab" frequently winked at the law, attorneys practicing before him knew him to be a man well grounded in its fundamentals.

A great tribute to this veteran of the bench is the fact that no lawyer ever was heard to question his honesty or sincerity of purpose. 2-17-44

Judge "Ab" was a prototype, a court within himself and a court apart.

Judge 'Ab', The Man Advertiser-Montgomery, Ala.

The typical judge is an austere man who follows the precepts of the law in his conduct and demeanor as well as in his decisions. He is impressed, and considers it his duty to impress those who come into his court, with the fact that the weight of ages of law is behind him. Because dignity is associated with justice, he feels obligated to be dignified. Moreover, it is essential that his office and his authority be respected.

But occasionally there are judges strong enough in character, independent enough in thought, to know that it is the law which is respected, and that the cause of justice is not furthered by too much cognizance of little things. Such judges can superficially appear undignified, but never lose their inward dignity. They can take liberties with the letter of the law without damaging its spirit. Because they are superior persons, such judges are rare, and those who imitate them are usually doomed to failure.

Judge H. B. Abernethy, of the Jefferson County Court of Misdemeanors and Felonies, was such a man, and such a judge. He held that office (although the name of the court underwent changes) for nearly 30 years. For term after term he was reappointed by the judges of the Circuit Court, or, for a period, by the County Commission. There was seldom any opposition to his appointment. The judges of the Circuit Court, in the best position to know both the legality and the results of Judge Ab's unconventional methods, knew that his work was sound and that his court, for all its byplay, was respected.

What did it matter if Judge "Ab" talked dialect to Negro prisoners or dialect to Italians or to anyone whose English was faulty? What did it matter if he rolled dice with a defendant to determine a verdict? What did it matter if he ordered defendants to act out in court the fight which brought them there? What did it matter if his methods seemed at times to turn his courtroom into a circus with Judge "Ab" as the ringmaster? The ends of justice were still served, the law was respected, and Judge "Ab" was always honored.

The secret of these things lay in the personality and character of the judge. He was humane and sympathetic. He hewed ever to the line of justice; and remembering justice as the end, he knew how to take liberties with the means. But he did not allow others to take liberties with the law or with his office.

Judge 'Ab' The Man News-Birmingham, Ala.

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court. He insisted on being the whole show, not necessarily because he wanted to show off but because he knew instinctively that he could not permit to others the freedom he knew how to handle. 2-23-44
Now his seat has been vacated by the death that also knows how to play with life but permits no others to do so.—The Birmingham News

Judge Abernethy Dies At Hospital In City After Influenza Attack

2-16-44
Widely Known Jurist
Was Thought Improving
But Relapsed Suddenly

BY HUGH W. SPARROW

A wide range of friends, from higherups in the professional and political life here to the humblest Negro who sought his counsel in troubled moments, Wednesday mourned the passing of Judge H. B. Abernethy of the Jefferson County Misdemeanors and Felonies Court who died suddenly Tuesday afternoon.

The 69-year-old jurist—credited by many at the courthouse with having tried more cases than any other judge in the United States during his more than 40 years as a judge and justice of the peace—succumbed after a three weeks illness.

Stricken by influenza near the close of January, Judge Abernethy retired to his residence 1222 North 29th Street. He was believed to be recovering until Tuesday morning when he suffered a relapse which hastened his end, at 3:45 p.m. at the Jefferson Hospital.

Because Judge Abernethy—popularly known throughout the county as "Judge Ab"—was not thought to be seriously ill, despite his three weeks' absence, word of his death came as a great surprise and shock to friends at the courthouse and elsewhere.

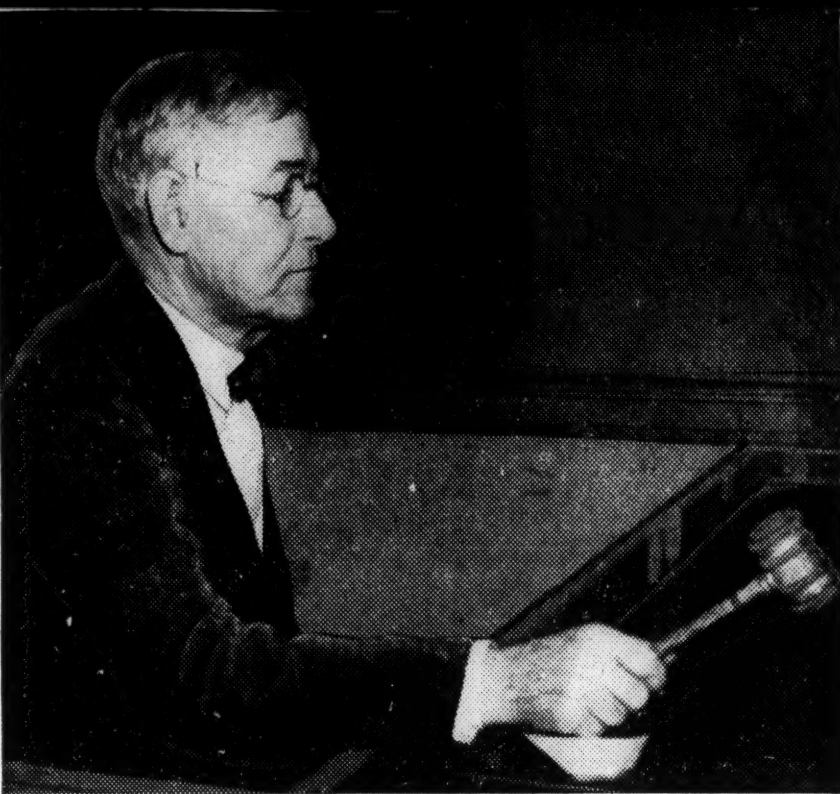
At the courthouse where, perhaps, he was best known, the belief appeared to be unanimous that one of the most colorful public figures in the state as well as the county had passed on. 2-16-44

Funeral arrangements were to be announced by Brown-Service.

Judge Abernethy is survived by his widow, the former Ninette Eugenia Wood; a daughter, Mrs. Ninette Griffith, and a granddaughter.

BORN IN THE HEART of Alabama's Black Belt, in Marengo County, near Linden, the son of a country doctor, Dr. J. C. Abernethy, Judge Abernethy came to Birmingham at the age of 14. The rest of his life was spent here.

Judge Abernethy was educated in the schools here and at the Alabama



FAMED JUDGE "AB" SUCCUMBS—Judge H. B. Abernethy (above), of Jefferson County Court of Misdemeanors and Felonies, and considered one of the greatest authorities in the South in dealing justly with the thousands of Negroes who came before him during his 40 years as a jurist, died suddenly Tuesday afternoon at a local hospital when he suffered a relapse after being confined to his home for the past three weeks with an attack of flu. The picture above is one of the few ever made of Judge Abernethy in his courtroom.

He married many Negro couples, settled their church disputes, and time and again was their medicine man when it came to breaking "hoodoo" spells. 2-16-44

After several years as a "j. p." Judge Abernethy was appointed to the old Court of Common Pleas, shortly before the Legislature in 1915 created the Jefferson County Municipal Court No. 2. He was appointed to the bench of the latter court and, in 1919, when the court's jurisdiction was enlarged and its name was changed to the Jefferson County Court of Misdemeanors and Felonies, he was reappointed.

Those who knew Judge Abernethy best say his attitude toward the Negro—definitely paternalistic—was doubtless traceable to his public early years in the Black Belt. Nevertheless, they say, he was a tried and true friend of the Negro and probably understood the Negro better than anyone else here.

Frequently he twitted the Negro who appeared before him but he seldom failed to deal justly with him, lawyers who practiced in the Misdemeanors Court often contended. Judge Abernethy never shut the door of his office to any Negro who sought his advice on a problem and day in and day out through the years many a tale of sorrow and trouble was unfolded.

Not only did Judge Abernethy contend that he knew the Negro well and spoke his language, but

he married many Negro couples, settled their church disputes, and time and again was their medicine man when it came to breaking "hoodoo" spells. 2-16-44

OFTEN HE GAVE THEM mystic powders, frequently just plain pulverized chalk, and strange-sounding shibboleths, to combat their "spells." And in many cases Negroes who had complained of supernatural-inspired "miseries" returned later to say they had been "cured" and to thank him.

Ever willing to hear a lowly Negro's side of a story and to deal justly with him, Judge Abernethy, nevertheless, displayed little patience in dealing with the Negro with a patronizing air and a "Down East" accent.

And it was a long time open joke among lawyers practicing in the Court of Misdemeanors and Felonies that when a Negro, intentionally or inadvertently, spoke of his "ahnty" instead of his "aunty," he was automatically writing his own ticket for six months at hard labor.

Many years ago Judge Abernethy addressed a sociological congress in session here and expressed opposition to too much education for Negroes. He insisted that education only tended to re-make a Negro's character into something that was not true to his nature, and his speech drew a storm of criticism which reechoed occasionally through the years.

On the other hand, however, he had many a kind word to say about

the country Negro and the hard-working Negro of the cities. And it was his frequent contention that Negroes surpassed white people when it came to charity among themselves and in caring for orphans.

Long ago Judge Abernethy put a virtual stop to the frequent whole-sale or "shakedown" raids on Negroes by "skin" games by refusing to convict when the evidence showed that the defendants were "working Negroes." Negroes, he contended, are much more likely to gamble than white men and shouldn't be penalized because of a gambling quirk in their makeup.

And he had methods all his own in dealing with certain types of "repeaters" on psychopathic cases among Negroes. Sometimes his sentence required a Negro to attend both morning and afternoon sessions of his court for weeks at a time. It was Judge Abernethy's own brand of occupational therapy for the faltering defendants. He kept them so busy attending court they didn't have time to get into trouble.

INvariably, THEREFORE, the Negro side of the courtroom was often crowded with spectators.

Seldom did Judge Abernethy "throw the book" at a defendant he found guilty. Instead of imposing maximum fines and sentences, he appeared inclined to be lenient in most cases. Yet his court never failed to be self-sustaining and profitable. 2-16-44

Judge Abernethy ran his court with a firm if unorthodox

Often he would halt a lawyer's oration in the very beginning by advising the ultra vocal attorney that his mind was "made up anyhow."

Judge Abernethy, on the other hand, frequently indicated a strong, friendly attitude toward most of the attorneys practicing before him. Some of them he gave nicknames which stuck through the years. And the lawyers, too, showed their feeling for the judge by facetiously returning the compliment, nicknaming his court "The Supreme Court," apparently because Judge Abernethy often made his own rules of procedure when they did not clash too strongly with the more hard and fast principles of law.

Long before the present courthouse was occupied, Judge Abernethy had established a reputation both as a colorful figure and as a realistic judge who spoke the idiom of the street and who applied a deep insight into human nature and a homespun philosophy in dealing justice to the lowly, the unfortunate and the no-goods.

Frequently visitors from distant cities took time out during a stop-over to spend an hour in Judge Abernethy's court and many a celebrity has occupied a place on the bench beside Judge Abernethy during a court session. Former Gov. Frank M. Dixon, during the last year of his term, spent an entire afternoon in Judge Abernethy's court, the court where he started his public career 22 years before.

Besides his "hoodoo-dispelling stunt," Judge Abernethy had many other little tricks up his sleeve typically his own.

FOR INSTANCE, he had his own particular brand of divorce. When he was convinced that a discordant Negro couple couldn't live together he'd often tell the couple to stand up and join hands. Then, with a swift down stroke, he'd knock their hands apart and at the same time say "Now you're divorced!"

Occasionally he'd bargain with an upstart young Negro along this line: "Boy, don't say I won't ever give you a chance. Here's the dice. Roll 'em. If you win you go free. If you lose you go free—six months from now."

And the bargain was bona fide as far as the judge was concerned. During Judge Abernethy's long years on the bench he developed, for among other things, a peculiar clairvoyance. It was his boast that he knew most of the answers before any witness could mutter them. And, on occasions, he demonstrated his ability by writing down the answers to certain questions before a witness was asked them. Then, after he had answered, Judge Abernethy's own little joke to pick up the paper and read the replies he had written down.

In most cases they were almost identical. Judge Abernethy, too, contended that he learned long ago to distinguish when a defendant or a witness is lying. He had only contempt for lie detectors because he

The little girl who, with 13-year-old Eileen Foster, is charged with stabbing a schoolmate to death, was taken to the children's division of the Domestic Relations Court, 135 E. 22 St., where Judge Jane Bolin, after listening to testimony by the arresting detective and the defendant, put the case over to May 26.

Refuse to Indict Girl
In Harlem School Death
The grand jury yesterday declined to indict 11-year-old Madeleine Kirkland for murder of 9-year-old Margaret Paston in Public School 119 on May 9. It recommended, instead, that she be turned over to her mother.